fectively describes the pitfalls involved in the controls placed on rising prices.

The article follows:

THE PHONY CURE OF CONTROLS

(By Jenkin Lloyd Jones)

In the evil old days when patent medicine manufacturers could get away with anything, it was customary to lace "consumption cures" with large dollops of opium. The results were marvelous.

The coughing stopped, for the cough mechanism was effectively anesthetized. The astonished and delighted patient fired off a glowing testimonial. Sometimes he had time to write two before lung congestion took him to the undertaker. By interrupting nature's effort to remove infection, the medicine provided a brief appearance of health, and then zap!

Price controls are like the old consumption cures. They "cure" inflation. Prices suddenly cease going up. The consumer is delighted. But generally the producer, caught in a cost squeeze, stops producing. The controlled commodity vanishes from the shelves. So the buyer does without or hunts up a black market.

A classic example is what happened to housing in Germany and France following World War II. The French sought to ease rising rents by slapping on stiff ceilings. It became uneconomical to build housing. Rents were cheap enough, but you had to practically inherit an apartment. Today, 28 years after the war's end, the urban Frenchman is still scrambling for a place to live.

Most German cities were largely destroyed. People were living in cellars, boxes, tents. But the Germans didn't put on controls. Rents rose astronomically. It was so profitable to produce rental space that the building business roared. Everyone rushed to bulldoze up the rubble and clean the bricks for re-use. The cement mixers churned.

In consequence, within five years the housing crunch vanished. People could become choosy and rents slipped back.

Cheaper beef is no good if there's no beef. We found that out last August. Still, there remains the wistful hope that if some bureaucrat writes a magic number on a price tag, without regard to demand, supply and production incentives, the consumer will be served.

Efforts to fix prices for everything go back 41 centuries to the kings of ancient Sumer. They probably caused the invention of counters so that business could be carried on under them.

It is a sad fact of life that free prices remain steady only as long as supply and demand are in perfect equilibrium. When inventories are drawn down, prices edge up, and when things gather dust in the stockroom, cut-rate sales are offered.

These fluctuations distress everyone, but they are nature's corrective. For, in general, higher prices encourage more production, which meets demand, which softens the market, which causes prices to fall, which increases demand, which strengthens prices.

But what we are beginning to run into in this country is the phenomenon of shortages we never felt before. In a time of higher-than-ever personal incomes, spaghetti-eaters upgrade to ground round and ground round eaters go for sirloin.

If there were limitless pasturage and limitless grain for feed yards, supply would eventually catch up to demand. But the number of head of cattle you can carry on any given acreage is not easily expanded, and the whole world is bidding for our grain supplies. So meat goes up. To artificially hold down the price and thus discourage breeding is nut-house economics.

The cheap energy days are drawing to a close in America. For years it was the Federal Power Commission's policy to hold down the price of natural gas. So most of America threw away its coal shovels and oil burners and hurried to tap into this lovely clean source of instant heat.

As the odds against hitting a good gas well went up and the cost of drilling went up and the price stayed the same, the chances for profitably exploring for gas went down. So wildcatting languished as the market soared. And now we have a gas crunch.

How much better off we would be if we had let the mechanism adjust itself—higher prices, slower conversion from more plentiful fuels, less incentive to waste this most versatile hydrocarbon in inefficient fireboxes, more incentive to find new reserves and a more gradual and orderly adjustment toward the inevitable day when natural gas is gone.

Monkeying with prices seems irresistible to Washington. But a rigged priced is not the same as a true value. And value eventually triumphs. The kid who traded a $1,000 dog for two $500 cats stayed happy only until he tried to sell the cats.

SENATE—*Tuesday, November 13, 1973*

The Senate met at 10 a.m. and was called to order by Hon. JAMES ABOUREZK, a Senator from the State of South Dakota.

PRAYER

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

O God, the light of the hearts that see Thee, the life of the souls that love Thee, the strength of the minds that serve Thee, from whom to turn is to fall, to whom to turn is to rise, and, in whom to abide is to stand fast forever, grant that as we turn to Thee we may have light for our hearts, life for our souls, strength for our minds. As we pray for ourselves so we pray for our Nation that it may be born again of the spirit, redeemed by Thy grace, stand secure upon Thy word, and henceforth be obedient to Thy law that it may fulfill Thy purposes in this time of trouble.

We pray in the Redeemer's name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., November 13, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JAMES ABOUREZK, a Senator from the State of South Dakota, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. ABOUREZK thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore (Mr. ABOUREZK) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1081) to authorize the Secretary of the Interior to grant rights-of-way across Federal lands where the use of such rights-of-way is in the public interest and the applicant for the right-of-way demonstrates the financial and technical capability to use the right-of-way in a manner which will protect the environment.

The message also announced that a bill (H.R. 9142) to restore, support, and maintain modern, efficient rail service in the northeast region of the United States; to designate a system of essential rail lines in the northern region; to provide financial assistance to certain rail carriers; and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 4771) to authorize the District of Columbia Council to regulate and stabilize rents in the District of Columbia.

The ACTING PRESIDENT pro tempore (Mr. ABOUREZK) subsequently signed the enrolled bill.

HOUSE BILL REFERRED

The bill (H.R. 9142) to restore, support, and maintain modern, efficient rail service in the northeast region of the United States; to designate a system of essential rail lines in the northern region; to provide financial assistance to certain rail carriers; and for other purposes, was read twice by its title and referred to the Committee on Commerce.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

the Journal of the proceedings of Friday, November 9, 1973, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the calendar, beginning with Calendar No. 464 up to and including No. 470.

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

SENATE COMMITTEES EMPLOYEES PAY

The Senate proceeded to consider the bill (S. 2315) relating to the compensation of employees of Senate committees which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all after the enacting clause and insert:

That section 105(e) of the Legislative Branch Appropriation Act, 1968, as amended and as modified by the Order of the President pro tempore of the Senate of October 4, 1973, is amended as follows:

(1) In paragraph (1), strike out "ranging from $18,525 to" and insert in lieu thereof "at not to exceed":

(2) In paragraph (2)(A), strike out "8,265 to" each place it appears therein and insert in lieu thereof "not to exceed".

(3) In paragraph (2)(B), strike out "$18,240 to", "$14,250 to", and "$8,265 to" and insert in lieu thereof in each place "not to exceed".

The amendment was agreed to.

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

COVERAGE OF U.S. NATIONALS

The bill (H.R. 3801) to extend civil service Federal employees group life insurance and Federal employees health benefits coverage to U.S. nationals employed by the Federal Government, was considered, ordered to a third reading, read the third time, and passed.

TRAINING REPORT REQUIREMENTS

The bill (H.R. 5692) to amend title 5, United States Code, to revise the reporting requirement contained in subsection (b) of section 1308 was considered, ordered to a third reading, read the third time, and passed.

ADMINISTRATION OF FEDERAL EMPLOYEES LEAVE SYSTEM

The Senate proceeded to consider the bill (H.R. 1284) to amend title 5, United States Code, to improve the administration of the leave system for Federal employees which had been reported from the Committee on Post Office and Civil Service with amendments on page 2, in line 23, strike out "subsections (b) and (d)," and insert "subsections (b), (d), and (e)"; on page 3, line 2, after the word "new" strike out "subsection;" and insert "subsections:"; in line 5, after the word "when", strike out "such" and insert "the"; in line 8, after the word "when", strike out "such" and insert "the"; in line 10, after the word "when", strike out "such" and insert "the"; in line 23, after the word "this", strike out "title."." and insert "title."; after line 23 insert:

"(e) Annual leave otherwise accruable after June 30, 1960, which is lost by operation of this section because of administrative error and which is not credited under subsection (d)(2) of this section because the employee is separated before the error is discovered, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within 3 years immediately following the date of discovery of the error. Payments shall be made by the agency of employment when the lump-sum payment provisions of section 5551 of this title last became applicable to the employee at the salary rate in effect on the date of the lump-sum provisions became applicable.".

On page 6, in line 12, after the word "Notwithstanding", strike out "any other provision of law," and insert "other statutes,"; in line 16, after the word "was", strike out "forefeited" and insert "forfeited"; and in line 18, after the word "status.", strike out "Such payment" and insert "Payment".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the passage of Calendar 467, S. 1284, be vitiated.

The ACTING PRESIDENT pro tempore. Without objection, the passage of the bill is vitiated.

Mr. MANSFIELD. And that the bill be restored to the calendar.

The ACTING PRESIDENT pro tempore. The bill is restored to the calendar.

PRIVILEGES AND IMMUNITIES FOR THE ORGANIZATION OF AFRICAN UNITY

The bill (H.R. 8219) to amend the International Organizations Immunities Act to authorize the President to extend certain privileges and immunities to the Organization of African Unity was considered, ordered to a third reading, read the third time, and passed.

U.S. INFORMATION AGENCY APPROPRIATIONS AUTHORIZATION ACT OF 1973

The bill (S. 2681) to authorize appropriations for the United States Information Agency was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2681

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 "United States Information Agency Appropriations Authorization Act of 1973".

SEC. 2. (a) There are authorized to be appropriated for the United States Information Agency for fiscal year 1974, to carry out international informational activities and programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, and Reorganization Plan Numbered 8 of 1953, and other purposes authorized by law, the following amounts:

(1) $188,124,500 for "Salaries and expenses" and "Salaries and expenses (special foreign currency program)", except that so much of such amount as may be appropriated for "Salaries and expenses (special foreign currency program)" may be appropriated without fiscal year limitation;

(2) $4,125,000 for "Special international exhibitions" and "Special international exhibitions (special foreign currency program)", of which not to exceed $1,000,000 shall be available solely for the Eighth Series of Traveling Exhibitions in the Union of Soviet Socialist Republics; and

(3) $1,000,000 for "Acquisition and construction of radio facilities".

Amounts appropriated under paragraphs (2) and (3) of this subsection are authorized to remain available until expended.

(b) In addition to amounts authorized by subsection (a) of this section, there are authorized to be appropriated without fiscal year limitation for the United States Information Agency for the fiscal year 1974 the following additional or supplemental amounts:

(1) not to exceed $7,200,000 for increases in salary, pay, retirement, or other employee benefits authorized by law; and

(2) not exceed $7,450,000 for additional overseas costs resulting from the devaluation of the dollar.

SEC. 3. Section 701 of the United States Information and Educational Exchange Act of 1948 is amended to read as follows:

"PRIOR AUTHORIZATION BY CONGRESS

"SEC. 701. (a) Notwithstanding any provision of law enacted before the date of enactment of the United States Information Agency Appropriation Authorization Act of 1973, no money appropriated to carry out this Act shall be available for obligation or expenditure—

"(1) unless the appropriation thereof has been previously authorized by law; or

"(2) in excess of an amount previously prescribed by law.

"(b) To the extent that legislation enacted after the making of an appropriation to carry out this Act authorizes the obligation or expenditure thereof, the limitation contained in subsection (a) shall have no effect.

"(c) The provisions of this section shall not be superseded except by a provision of law enacted after the date of enactment of the United States Information Agency Appropriation Authorization Act of 1973, which specifically repeals, modifies, or supersedes the provisions of this section.

"(d) The provisions of this section shall not apply with respect to appropriations made available under the joint resolution entitled "Joint resolution making continuing appropriations for the fiscal year 1974, and for other purposes", approved July 1, 1973, and any provision of law specifically amending such joint resolution enacted through October 16, 1973.".

LOUISIANA LAND TRANSFER

The bill (S. 2477) to provide for the conveyance of certain lands of the United States to the State of Louisiana for the use of State university was considered, ordered to be engrossed for a

third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture shall convey, without monetary consideration, to the State of Louisiana, for the use of Louisiana State University, all right, title, and interest of the United States in and to the real property at Robson, Caddo Parish, Louisiana, containing 99.956 acres in section 19, township 16 north, range 12 west, and sections 24 and 25, township 16 north, range 13 west, Caddo Parish, Louisiana, being a part of lot 3 (Martin survey) Robson Plantation and described as follows:

Beginning at a point 260 feet south and 230 feet west of northwest corner section 30, township 16 north, range 12 west, thence north 42 degrees 37 minutes each, 2,986 feet to Harts Island Road, thence along road north 44 degrees 55 minutes west, 1,381 feet to intersection with Robson-Forbing Road; thence along latter road south 30 degrees 25 minutes west, 523 feet south 51 degrees 40 minutes west, 832.5 feet south 48 degrees 15 minutes west, 1,008.4 feet south 24 degrees 40 minutes west, 572 feet (all courses along both roads being a distance of 40 feet from centerlines of said roads); thence south 35 degrees 20 minutes east, 467 feet along Bayou Pierre; thence south 1 degree 30 minutes east along Bayou Pierre 530 feet; thence south 85 degrees 02 minutes east along drainage canal 641 feet to place of beginning.

SEC. 2. The real property conveyed pursuant to this Act shall be used consistent with the purposes of Louisiana State University, including, but not limited to, the maintenance of a pecan production research station.

NOMINATION OF SENATOR SAXBE OF OHIO TO BE ATTORNEY GENERAL

Mr. HUGH SCOTT. Mr. President, I believe that the Committee on Post Office and Civil Service is meeting this morning to consider the emoluments bill reducing the salary of the Attorney General to the amount which was authorized prior to the recent increase.

I hope that the committee will promptly report the bill so that we may dispose of it.

If it is necessary to have the Judiciary Committee hold any hearings, I hope that the hearings will be held in 1 day. I would not want to see a bill which would empower one of our colleagues to serve in the President's Cabinet held hostage for any other legislation. I would not want to see any partisan or political division arising from this nomination. I think we have some obligation to one another in the Senate.

I would feel, on behalf of our colleague from Ohio, that a considerable disappointment would arise in the Senate itself if this otherwise routine bill were made a vehicle for anything other than what it purports to accomplish. So I should like us to keep any partisan or political consideration apart and treat the nomination for what it is. Then if Senators wish to express themselves on the forthcoming confirmation of the nomination of our colleague, the distinguished Senator from Ohio (Mr. SAXBE), to be Attorney General, we can discuss that as an issue on the merits.

I hope that we will not let partisanship or political considerations interfere with a routine bill; I do not think it would be fair to do so. It would hardly be comity. If I were our colleague from Ohio, I would simply say, if that is the kind of behavior we have in the Senate, "You can have the job," and forget it.

Mr. ROBERT C. BYRD. Mr. President, may I say in response to the distinguished Republican leader, with respect to the bill that will be reported by the Committee on Post Office and Civil Service permitting the appointment of our distinguished colleague from Ohio (Mr. SAXBE) to the office of Attorney General, it will be my intention, as I indicated last Friday, to move to refer that bill to the Committee on the Judiciary, so that that committee might have an opportunity to consider the constitutional aspects that are involved.

I wish to assure the distinguished Republican leader that my purpose in moving to send the bill to the committee will not be one of partisanship; it will not be one of obstructionism. It is not with any political consideration in mind that I would take that action.

I also want to say for the record that in speaking to Senator SAXBE a few days ago, I indicated to him that I did not feel at that time that the legislation would present any problem.

But subsequent to my talking with him, I have given considerable thought to the pertinent constitutional provision. I have done considerable research in that regard, and I am convinced in my own mind that a very serious constitutional question is involved here.

My purpose in moving to send the bill to the committee, therefore, is clear. I think we would be remiss in our duties in the Senate if we failed to send this bill to the Judiciary Committee and if the House of Representatives should itself decide to look at the constitutional aspects when we had ignored such a question. A failure to face up to the constitutional question, in my opinion, would make the Senate look bad.

I realize that we do have the considerations that have been mentioned by the distinguished Republican leader. The fact that it is one of our colleagues who is being considered makes it difficult for me to take upon myself the burden of moving to send the bill to the Judiciary Committee. I am sorry that this has to occur.

I certainly want to assure the distinguished Republican leader and the distinguished Senator from Ohio (Mr. SAXBE) that nothing personal is involved, and that nothing partisan is involved. So far as I am concerned, I would be willing to send the bill to the Judiciary Committee with the understanding that it be reported back within a certain time, 2 or 3 days, or a week or whatever amount of time is necessary to hear some of the constitutional experts in regard to the bill.

Personally, I have no desire to attach any extraneous matter to the bill; but I just do not think that we, as Members of this body, can avoid the possible constitutional issue here, and I believe there is one. Many of us may have resolved it already in our own minds. I may be wrong in my own viewpoint. But I do not think we can avoid the constitutional issue simply because, in this case, it happens to involve a colleague of ours.

Moreover, I must respectfully disagree with the distinguished Republican leader's characterization of this bill as an "otherwise routine" bill. I do not think this bill is otherwise routine at all. Only one instance of this kind has occurred in this century, and that was the appointment of Senator Knox to be Secretary of State in 1909. There was legislation, of course, enacted in that instance, but I am going to discuss that particular case more fully at a later time. Suffice it to say that in that instance, the bill was sent to the Judiciary Committee, although at that time in our Nation's history we did not have the delineation of jurisdiction over legislation, with respect to the various Senate committees, that we now have. But, at least, that historical precedent indicates that the bill in that instance was sent to the Judiciary Committee.

I can give no stronger assurances than those I have given already. I have no motive in mind other than that I think the Judiciary Committee has a responsibility in this area. I think the Judiciary Committee should conduct a hearing on the bill; because if there are serious constitutional questions that cannot be resolved in favor of the bill, then the full Senate ought to make a decision in this regard, and I think it should be with the benefit of a record of hearings by the Judiciary in regard to any constitutional question.

As I say, in closing my remarks—and I will be glad to yield to the distinguished Republican leader—I think we would be making a mistake if we in the Senate did not take a look at the constitutional aspects of this problem, and if they would be raised in the House of Representatives. I am almost sure that they would do just that in the other body.

Mr. HUGH SCOTT. Mr. President, will the Senator yield?

Mr. ROBERT C. BYRD. I yield.

Mr. HUGH SCOTT. If we do not have enough time, I will ask that the time of the distinguished assistant minority leader be transferred.

I thank the Senator for clarifying something here, because we are really talking about two things. What the Senator is talking about is his concern about the constitutionality. What I am talking about is the risk which anyone here will take in holding this bill hostage for any other purpose.

I have discussed this matter with the distinguished assistant majority leader, and he has indicated to me that perhaps one day of hearing may do. I do not know whether it will. But I would have no personal objection to referring it to the Judiciary Committee, if the chairman and the ranking member of the Committee on Post Office and Civil Service have no objection, with instructions to report back promptly, in order that we may consider the bill. Perhaps that is the right way to do it.

I have no personal concern about the constitutionality, because we have one precedent, and a good one. Senator Knox was appointed, I believe, by President Taft to be Secretary of State. The salary of the office had been raised from

the magnificent sum, I believe, of $8,000 to $12,000, and Congress discovered that it would have to reduce the salary to $8,000 in order for Senator Knox to accept the job.

There was a great deal of debate in the CONGRESSIONAL RECORD about it at the time, and I have had occasion to look it up on an earlier date, and I think it settles the matter.

This is the concern I have about constitutional experts: Frankly, I doubt that there are really any constitutional experts in this country who know the Constitution any better than many Senators do. I am very wary of constitutional experts, because I remember Shakespeares' adjuration:

O judgment! thou art fled to brutish beasts,
And men have lost their reason!

There is so much hatred afoot at Yale and Harvard in the law schools and there is so much hatred afoot in other universities that these people have already prejudged their ability to judge. Most of them have signed fiery statements to indicate that the President should either resign, or be impeached or leave town. They have been, in considerable part, the same ones who were the activists in the demonstrations against the war.

Most of them are now on record as indicating their thorough disapproval of anything this President does. Now we ask them to come in and give us an impartial, fair judgment on whether or not this investigation can go ahead. Well, I know what they are going to say.

I hope some impartial deans of law schools exist. I really do. I would like to find them. I think that, like Diogenes, I would need a lantern. But, I think I would find that their lanterns are all red lights, with not a green light among them.

So I mistrust these men. As one who has been a former teacher himself, I know how bias seeps into the mind and from the mind into the student and from the student into the street. I have seen it too often.

So, yes, let us get them, but let us not tell them that they know more constitutional law than we do; because we practice constitutional law every day of our lives here, and we know the Constitution, and we live by it and have taken an oath to support and defend it. I really believe that we can be trusted to do our duty.

Let us examine what happens. I am not talking about what the distinguished assistant majority leader wants. He is on the right track, and we ought to have some kind of assurance, if he needs it—I do not. If he or others need it, let us have it. But let us not regard it as the word of God handed down on the tablets from the mountain, because it is not. It is merely an opinion of some professor who does not like Nixon, and we ought to recognize that. And how they have lined up in parade formation, lances tipped with venom, erupting their hatred and their prejudice and their ill will.

So let us define them for what they are. Impartial? I hope so. If we can find one, we will get the red carpet out all the way from the committeeroom to the street. But let us not assume that they are impartial.

I am talking about another thing. I am talking about holding this bill hostage in order to get some other legislation through. We have special prosecutor legislation. It will be brought up in the Judiciary Committee today. We have not finished the hearings, but that does not stop some people who cannot wait for the hearings, if it serves their purpose, to say, "Oh, we do not need hearings; report the bill out." So we will debate that in the Judiciary Committee this morning. I do not want this bill held hostage. I do not want the Senator from Ohio to say that his colleagues are playing games with him; that they are hanging every bill they can think of on him, on his willingness to lose $25,000 a year as a reduction in salary, unless and until Congress can restore it. That is what is involved here. He is entitled to better treatment than that.

Mr. President, if you want an investigation, for God's sake, let us have an Attorney General; if you want an investigation, let us let Jaworski go ahead and see what he can find out; if you want a special prosecutor, let us debate it. Let us put so many prosecutors around that they get under each other's feet and into each other's hair so no one knows what he is doing. That is as good a way to defeat the purpose and in the end say, "We could not get anything done."

But I do not want it said that it was the Senate that made it impossible. I do not want it said that the Senate would not even let the Attorney General be named. I do not want it said that the Senate allowed its feelings or its attitudes in other matters to prevent the administration from going on with an investigation, because if this investigation is delayed by the action of Congress in failing to act on the appointment of an Attorney General I know who will be responsible for it, and I am going to take that issue to the country and I know how to take an issue to the country; believe me, I will.

All I suggest is that we try to work out what the distinguished assistant majority leader has suggested. I am not for it, but it is reasonable, and it is fair, and if we can do it, that is all right. But I hope the distinguished assistant majority leader will agree with me that he and I know more constitutional law than some of the witnesses we call.

Mr. ROBERT C. BYRD. I am not sure about that for myself.

Mr. HUGH SCOTT. The Senator is so modest and I am so lacking in modesty I reassert it. Let us, by all means, consider proceeding along the lines the distinguished assistant majority leader proposes, and that is not to add anything to the bill, not to hold it hostage, not to play games with colleagues, not to do things we will be ashamed of. Let us play it straight and say to the administration, "We will give you the tools, and if you have not done the job, we will tell you so," because in some respects they have not done the job; I am anxious for them to do it, and for that to be corrected.

That is the burden of my song today. Perhaps I have not kept to the beat, but that is my humor, that is my tenor, and that is my refrain. I thank the distinguished assistant majority leader.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. ROBERT C. BYRD. As I understood it, the distinguished Republican leader had gotten the permission of the distinguished assistant leader to be recognized on Mr. GRIFFIN's time.

Mr. HUGH SCOTT. That is correct.

The ACTING PRESIDENT pro tempore. He controls 15 minutes. Without objection, that time is transferred.

Mr. HUGH SCOTT. I yield back the remainder of my time unless the Senator wishes to proceed.

Mr. ROBERT C. BYRD. I would like to make a further comment and then the distinguished Republican leader may also have a further comment.

Mr. HUGH SCOTT. Yes, I yield.

Mr. ROBERT C. BYRD. The distinguished Republican leader, as always, is able to quote bountifully from Shakespeare, and the Bible, and from other great literature, and he has done so this morning. If I may be pardoned for quoting from that Great Book, the Bible, there is a passage therein that states:

The wicked fleeth when no man pursueth.

Mr. HUGH SCOTT. "But the righteous are as bold as a lion."

Mr. ROBERT C. BYRD. That is right, but let us stay with the wicked for a moment.

May I say most respectfully to the distinguished Republican leader that this talk I heard from him this morning about "holding" something "hostage" is completely the product of his own imagination, as far as I am concerned. I think he made it clear in his statement that he did not suspect me of that motive.

Mr. HUGH SCOTT. I did so intend.

Mr. ROBERT C. BYRD. Yes. I have no desire to hold that bill hostage. As far as adding amendments to that bill to provide for a special prosecutor, I doubt we could do that in the Judiciary Committee. Because if we do not have the votes in committee to report out a specal prosecutor bill, we would not have the votes in the committee to attach such an amendment to the bill we are talking about here.

Now, I want to say also for the RECORD, so that my friend from Ohio (Mr. SAXBE) can know my thoughts, I am not playing any "games," to use the Republican leader's words, I want to assure the distinguished Republican leader with regard to his reference to "colleagues playing games." This colleague is not playing games. I am interested in one thing only here, and that is in having the Judiciary Committee take a look at this bill and conduct whatever hearings are necessary on its constitutionality.

Now, whether or not 1 day's hearings will be sufficient, I cannot say. I do not know how much time it would take to gear up for something like that, but as far as I am concerned, the bill could be reported back in a week, because any member of that committee can exercise his rights anyhow under the 7-day rule. I have no desire to hold up the bill. I have only a desire to have a hearing on it and let the Judiciary Committee reach a judgment on it and report it out and then let the Senate debate it.

I do not want it said that this Senate, simply because it is one of our colleagues

who is being appointed to an important office, summarily passed legislation without taking a look at the constitutional question. I think we would be remiss in our duties. That is, I think, an appropriate explanation of the action which I will take in moving to send the bill to the Judiciary Committee on tomorrow. I hope we can reach an agreement whereby it can be reported back in a reasonable length of time.

Mr. HUGH SCOTT. I fully support what the Senator proposes. While I do not think it is necessary, I do not quarrel with it, because it is eminently reasonable, and perhaps we can work it out. Let us try it when the report comes in from their committee.

Mr. ROBERT C. BYRD. Very well. I thank the distinguished Republican leader.

Is the Senator going to yield back the remainder of his time?

Mr. HUGH SCOTT. I am glad to yield to the distinguished asssistant majority leader.

Mr. ROBERT C. BYRD. I do not need more time. I thank the able Senator.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of routine morning business for not to exceed 15 minutes with statements limited therein to 3 minutes.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

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

The second assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 10 a.m. tomorrow.

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

ORDER FOR RECOGNITION OF SENATOR GRIFFIN TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the two leaders or their designees have been recognized under the standing order, the distinguished Republican leader (Mr. GRIFFIN) be recognized for not to exceed 15 minutes.

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

ORDER FOR RECOGNITION OF SENATOR ROBERT C. BYRD TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the recognition of Mr. GRIFFIN on tomorrow, I be recognized for not to exceed 15 minutes.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, after the recognition of Senators under the orders previously entered, there be a period for the transaction of routine morning business tomorrow of not to exceed 15 minutes, with statements limited therein to 3 minutes.

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

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

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

The second assistant legislative clerk proceeded to call the roll.

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

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

AUTHORITY FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE COMMITTEE REPORT ON S. 2589, THE NATIONAL ENERGY EMERGENCY ACT OF 1973

Mr. JACKSON. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs may have until midnight tonight to file its report on S. 2589, the National Energy Emergency Act of 1973.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ABOUREZK) laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION BY THE ATTORNEY GENERAL

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to insure that the compensation and other emoluments attached to the Office of Attorney General are those which were in effect on January 1, 1969 (with an accompanying paper). Referred to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 1398. A bill to authorize the Secretary of the Treasury to transfer to the Government of the Republic of the Philippines funds for making payments on certain pre-1934 bonds of the Philippines, and for other purposes (Rept. No. 93-496).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2589. A bill to authorize and direct the President and State and local governments to develop contingency plans for reducing petroleum consumption, and assuring the continuation of vital public services in the event of emergency fuel shortages or severe dislocations in the Nation's fuel distribution system, and for other purposes (Rept. No. 93-498).

ANNUAL REPORT OF SUBCOMMITTEE ON SEPARATION OF POWERS—(S. REPT. NO. 93-497)

Mr. ERVIN. Mr. President, on behalf of the Committee on the Judiciary, I ask unanimous consent to file the annual report of the Subcommittee on Separation of Powers pursuant to Senate Resolution 256, section 17, 92d Congress, 2d session.

The PRESIDING OFFICER. The report will be received and printed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

William H. Donaldson, of New York, to be Under Secretary of State for Coordinating Security Assistance Programs;

Carlyle E. Maw, of New York, to be Legal Adviser of the Department of State; and

John M. Thomas, of Iowa, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

The above nominations were reported with the recommendation that the nomination be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Mr. FULBRIGHT. Mr. President, as in executive session, I also report favorably sundry nominations in the Diplomatic and Foreign Service which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they lie on the Secretary's desk for the information of Senators.

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

The nominations ordered to lie on the desk are as follows:

Gori P. Bruno, of Texas, and sundry other persons for promotion in the Diplomatic and Foreign Service.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. JAVITS:

S. 2687. A bill to provide the authorization for fiscal year 1975 and succeeding fiscal years for the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. CHILES:

S. 2688. A bill for the relief of Alvin V. Burt, Eileen Wallace Kennedy Pope, and David Douglas Kennedy, a minor. Referred to the Committee on the Judiciary.

S. 2689. A bill requiring studies to be

made prior to leasing military facilities for oil drilling or exploration, and for other purposes. Referred to the Committee on Armed Services.

By Mr. MUSKIE (for himself and Mr. CHURCH):

S. 2690. A bill to amend title XVIII of the Social Security Act to liberalize the conditions under which posthospital home health services may be provided under part A thereof, and home health services may be provided under part B thereof. Referred to the Committee on Finance.

By Mr. MONDALE (for himself, Mr. HUMPHREY, Mr. NELSON, and Mr. PROXMIRE):

S. 2691. A bill to designate the Kettle River, in the State of Minnesota, as a component of the national wild and scenic rivers system. Referred to the Committee on Interior and Insular Affairs.

By Mr. CASE:

S. 2692. A bill to provide emergency security assistance authorizations for Israel and Cambodia. Referred to the Committee on Foreign Relations.

By Mr. SPARKMAN:

S. 2693. A bill for the relief of Miss Patricia J. Basbas. Referred to the Committee on the Judiciary.

By Mr. COOK (for himself, Mr. BAKER, and Mr. BARTLETT):

S. 2694. A bill to establish an Energy Research, Development, and Demonstration Administration, and to reorganize, consolidate, and supplement within it, Federal responsibility, authority, funding, and financing for conducting a national program for scientific research, development, and demonstration in energy and energy-related technologies designed to resolve critical energy shortages. Referred to the Committee on Interior and Insular Affairs.

By Mr. CHURCH:

S. 2695. A bill to amend the Public Health Service Act to provide for the making of grants to assist in the establishment and initial operation of agencies and expanding the services available in existing agencies which will provide home health services, and to provide grants to public and private agencies to train professional and paraprofessional personnel to provide home health services. Referred to the Committee on Labor and Public Welfare.

By Mr. MATHIAS:

S.J. Res. 171. Joint resolution relating to U.S. support of United Nations activities in maintaining international peace and in providing and coordinating international disaster relief. Referred to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JAVITS:

S. 2687. A bill to provide the authorization for fiscal year 1975 and succeeding fiscal years for the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped and for other purposes. Referred to the Committee on Labor and Public Welfare.

AMENDMENTS TO JAVITS-WAGNER-O'DAY ACT

Mr. JAVITS. Mr. President, I introduce for appropriate reference legislation suggested by the administration to amend the Javits-Wagner-O'Day Act in three ways:

First, to shorten the name of the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped to "Committee for Purchases From the Blind and Other Handicapped." It is my intention to further amend the administration's bill by adding the word "Severely" before "Handicapped";

Second, to expand the definition of "direct labor" to include services, as the present definition pertains primarily to commodities; and

Third, to provide authorizations beyond the current fiscal year.

In introducing this administration measure, I wish to make clear that I retain freedom of action with respect to the consideration of other proposals to amend existing law which might be desirable.

By Mr. MUSKIE (for himself and Mr. CHURCH):

S. 2690. A bill to amend title XVIII of the Social Security Act to liberalize the conditions under which post-hospital home health services may be provided under part B thereof. Referred to the Committee on Finance.

By Mr. CHURCH:

S. 2695. A bill to amend the Public Health Service Act to provide for the making of grants to assist in the establishment and initial operation of agencies which will provide home health services. Referred to the Committee on Labor and Public Welfare.

HOME HEALTH MEDICARE AMENDMENTS OF 1973

Mr. MUSKIE. Mr. President, I introduce today the Home Health Medicare Amendments of 1973, a bill to provide increased home health benefits under the medicare program.

This legislation would clarify and expand the definition of home health care medicare benefits to meet the needs of the elderly for nursing and personal care in their own homes. It would also bring under medicare the homemaking services so necessary to maintain the independence of the patient who requires continued care, but not institutionalization. And it would increase from 100 to 200 the number of home health care visits covered by medicare.

This bill is a companion to a bill introduced today by Senator CHURCH, the Home Health Services Act of 1973, which provides "startup" funds for home health agencies and funds for training home health personnel. Together, these bills would give new Federal emphasis to the critical needs of home health care.

In July, I conducted 2 days of hearings on home health care as chairman of the Subcommittee on Health of the Aging. Witnesses representing such diverse groups as the Gray Panthers and the American Medical Association endorsed home care.

Yet it was also brought out at these same hearings that home health agencies are relegated to an almost insignificant provider role under medicare—receiving less than 1 percent of medicare expenditures. In fact, payments for home care under medicare declined from $115 million in fiscal 1970 to $69 million in fiscal 1972.

In addition, a paper on the current status of home health services prepared by Brahna Trager for the committee reported a decline in the number of certified home health agencies: 2,350 in 1970 compared to 2,221 in 1972. and many of these agencies are having financial trouble.

There is general agreement as to the reason for the decline in home health services under medicare. Our witnesses agreed that it is due not to the lessening in the need for such services, but to a narrowly restrictive policy applied under the medicare program.

Thomas Tierney, Director of the Bureau of Health Insurance for the Social Security Administration, admitted that beginning in 1969 the interpretation of the language of the law has become increasingly restrictive "in application and practice." Yet he also stated that "one of the greatest breakthroughs that medicare made was that it was the first program of any size that ever really recognized a home health service as a covered benefit."

Mr. Tierney asserted that the restrictive policy toward the home health benefit was caused by congressional concern about the overall high costs of the medicare program compared to original estimates.

The result of this approach was evaluated by Dr. Andrew Jessamin, speaking for the American Hospital Association. He said that SSA policy on home health benefits has become so restrictive that few patients can qualify.

He added:

> Apparently concern over opening the door too wide has kept the door so tightly shut that very little light and air could get in and few home care services could get out.

Another witness, Dr. Henry Smith, director of the Nebraska Department of Health, spoke of the "double standard" in reimbursement policy which makes it much easier to justify institutional services than to justify alternative care under medicare reimbursement procedures. He suggested that a more affirmative attitude, among other things, would be helpful.

This reimbursement double standard was affirmed by other witnesses and the experiences of many agencies. The hospital stay seems to sanctify claims while home care is subject to the most piercing and technical scrutiny.

I have received letters from agencies all over the country detailing medicare denials and delays of reimbursement and the subsequent effects on home health agencies. A feeling of terrible frustration and concern for their elderly patients is expressed again and again in these letters.

One Indiana agency wrote:

> The abuses of Medicare on the home care level have been practically non-existent. The on again off again policies of the federal government and SSA are making orderly development of home health care services practically impossible. Board, staff and patients are confused and disgusted. Many patients go without needed care because their right to Medicare coverage of health care services has been denied them.

The restrictive policy of medicare administrators also puts an unfair burden on concerned agencies who feel obligated to provide care even though the patient cannot afford it. As one administrator, a nun, succinctly put it:

> Do we refuse to give these patients the care they need, or do we give them the care without third-party reimbursement?

When care is given without third-party

reimbursement, agencies may be faced with a financial crisis. Then agencies are faced with the cruel choice of either not taking care of the elderly poor or becoming poor themselves.

This is an intolerable situation unworthy of a nation which professes to have a system of medical care for the elderly.

Therefore, it is imperative that the medicare law be amended to provide a home care benefit that truly meets the needs of the aged and provides a real alternative to institutional care. The Congress must reaffirm its intention that home care be a viable medicare benefit.

Mr. President, the legislation which I am introducing today would make the following changes in current law: First, delete the restriction that only "skilled" nursing care or physical or speech therapy may be reimbursed as home health services under medicare, and the requirement that home health treatment be related to the condition which required previous hospitalization; second, include full homemaker services in medicare coverage; and third, increase from 100 to 200 the number of home health services covered by medicare. Each of these changes remedies a barrier to the effectiveness of home health services which has been identified by witnesses testifying in hearings we have held.

The "skilled" nursing-physical-or-speech-therapy requirement has been one of the main barriers to the provision of needed home care to the elderly since it has in effect limited the home care benefit primarily to those who are acutely ill and need rehabilitation. It does not cover, and thus bars from medicare coverage, a wide range of situations when the patient's condition has stabilized or when the patient requires something less than the level of "skilled" nursing care as defined by the Social Security Administration. All nursing care performed by a nurse is skilled, but the term has come to have a very narrow meaning.

As an example of what is not covered, SSA cites the following in its intermediary letter No. 395, which defines skilled nursing care:

> A stroke patient whose condition is stabilized and has no more potential for rehabilitation may require help in getting in and out of bed, getting meals and meeting other activities of daily living. A nurse would visit this patient to evaluate his personal care needs and, subsequently, to assure that the home health aide is performing necessary duties and that the patient's social and personal care needs continue to be met.

Such a situation, I repeat, is not covered. And one of the managers of a home health agency commented on this type of denial as follows:

> In receiving Medicare denials, I have often wondered just how much rehabilitation can be done for an 88 year old person who has perhaps had a stroke or some other debilitating disability and is being cared for by a spouse of equal age. It would almost seem that the provisions of Medicare could more appropriately be applied to a 21 year old, where rehabilitation potential is naturally higher and health problems for long-term chronic disease disability are very low. Medicare, however, is specifically for our senior citizens. Therefore, it ought to be realistic about the health care needs and problems of geriatrics. Under the present restrictions it certainly is not fulfilling that realistic need.

In order to meet that very common and even desperate need, this bill would make a patient eligible when he needs, on an intermittent basis, nursing care or any other home health services listed in the law. These other home health services include: Physical, occupational or speech therapy; medical social services; medical supplies or the use of medical appliances; and part-time or intermittent services of a home health aide. The need for nursing care or other necessary services would make the patient eligible if directed by the doctor. Thus, a patient could need only the services of a home health aide for bathing, dressing, et cetera and would qualify if the service was approved by a doctor and carried out under appropriate supervision.

The bill also deletes the requirement that the home health care treatment must be related to the condition which required hospitalization. This requirement has resulted in the denial of many home health care claims because the condition requiring home treatment is different from the one which was originally diagnosed as a cause of hospitalization. As one witness testified:

> Frequently we get patients with four to five or more diagnoses, and if hospitalized for one of these diagnoses and then sent home to home care, we should be treating the reason for hospitalization in order to have Medicare coverage. This condition perhaps was resolved in the hospital, but the other chronic problems appear now to be more disabling. This should be covered under Medicare but usually is not.

By deleting this requirement, this bill makes no change in the requirement that home health services are only covered if they follow a medicare-covered hospitalization.

My bill would also expand medicare coverage of the important service of homemakers. Homemaker services are not now listed in the law as one of the services which may be provided by a home health agency, and the services of the home health aide are narrowly defined in terms of personal care. As a result, aged persons who live alone may be forced to remain in a hospital longer than necessary for the lack of a few simple supportive services such as cleaning or shopping. They may be forced from their own homes and communities into an institution earlier than necessary.

The testimony which I received pointed out again and again the great need for homemaking services by medicare patients. And the report to the committee by Brahna Trager stated:

> The assumption [by Medicare] that others in the home are available to provide the essential supportive services of daily living is not generally applicable to the age of living arrangements of the insured group. It is far more likely that the patient who lives alone or with an elderly spouse will be able to achieve his 'personal care' services independently, than that he will be able to maintain a decent environment and get the laundry in.

Since homemaking services are so often essential to the continued independence of the ailing elderly, my amendment would include the part-time or intermittent services of a homemaker in the list of services that may be provided by a home health agency.

Finally, the Home Health Medicare Amendments I introduce today would increase the number of home health visits covered by medicare from 100 to 200. The limitation on visits to 100 under both parts A and B is a hardship to persons requiring extended home care visits. Relatively few medicare recipients need more than 100 home health visits. But those who do should not be cut off from necessary home health services, and possibly forced back into the hospital. Establishing a limit of 200 visits would grant coverage to almost all qualifying home health patients.

Mr. President, medicare is now very much oriented to post-hospital acute-illness care, and is not meeting the needs of many of our elderly. These Home Health Medicare Amendments would make medicare more responsive to the need for home care for patients with chronic and stabilized conditions.

These liberalizations are not costly in terms of the medicare program as a whole. And in the long run it is possible that they may save money by substituting home care for more expensive institutional care.

In fiscal year 1975, for instance, it is estimated that my amendments would raise home care expenditures under medicare from approximately $100 million to between $275 and $300 million. This would be about 2 percent of the total projected medicare benefit expenditures.

These actuarial estimates do not take into account any savings that could be made by the shortening of a hospital stay and the avoidance of hospitalization and nursing home admittance. And these savings could be substantial. The General Accounting Office, for example, has stated that 25 percent of the patient population are treated in facilities which are excessive to their needs.

Home care can normally be provided at a fraction of the cost of inpatient care. The exact ratio is dependent upon the level of care provided. There are no definitive national cost figures. Under the medicare hospital insurance program, however, the amount reimbursed per claim in 1972 was $844 for inpatient hospital care, $398 for skilled nursing facilities and $91 for home health care or roughly 9 to 1 and 4 to 1. These figures give only a very rough idea of cost ratios, for medicare does not necessarily cover total costs, particularly in the case of home care.

Other estimates from the National Association of Home Health Agencies state that home care is 3½ times less expensive per case than hospitalization and four to five times less expensive per day than skilled nursing home care.

Home health services not only cost less than institutional services, but from a communitywide perspective these services can lessen the pressure to build expensive new facilities. And it is from the community perspective that we must view home care—not from the narrow perspective of the cost analyst who may see the home care benefit "cost more" because of this legislation.

Dr. Charles Edwards, Assistant Secre-

tary of Health, stated at the subcommittee hearings that in order to contain the costs of health care we must "encourage the service that will push health care away from the institution and closer to home."

I see an expanded home care benefit as a cost effective and humanitarian device that will help take care of the people in the way that they want to be taken care of and at the least possible cost. It is time to quit paying lip service to home care and make it a viable supplement and alternative to institutional health care for older Americans under medicare.

Mr. President, on behalf of the distinguished chairman of the Committee on Aging, FRANK CHURCH, and myself, I ask unanimous consent that the text of the bills we introduce be printed in the RECORD following his remarks.

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

(See exhibit 1.)

STIMULATING HOME HEALTH CARE

Mr. CHURCH. Mr. President, I introduce for appropriate reference legislation (S. 2695) to stimulate the expansion of home health agencies and services.

These bills are part of a twofold legislative package being introduced by the distinguished chairman of the Subcommittee on Health of the Elderly of the Committee on Aging, Senator EDMUND MUSKIE, and myself as chairman of the committee. This legislation would open up the home health care benefit for the elderly under the medicare program and at the same time expand the services available from home care agencies.

We are just beginning to realize that there are many illnesses that can be better treated at home if they do not really require the specialized and very expensive services of a hospital. Often an older person can be happier at home in familiar surroundings than in an institution and it will be far less expensive.

Institutional costs have continued to soar upward dramatically and they constitute the great bulk of costs under the medicare program. I think it is about time to reverse this trend and enlarge the home care aspect of the program.

Home care is nowhere more needed than in rural areas where institutional facilities are sparse and there are large proportions of elderly people. I recently chaired a field hearing at Coeur d'Alene, Idaho, as part of the "Barriers to Health Care for Older Americans" series and a witness testified that the home health agency was the only link between the patient and distant physician. This was in an area without public transportation and an elderly population with limited incomes.

Many rural areas, however, have no home health agencies or agencies that can provide only limited service. About half of the agencies certified under the medicare program offer nursing plus one other service, usually physical therapy. These agencies cannot provide the range of professional and supportive services which will encourage physicians to utilize and depend upon home care.

Now no mechanism exists for agencies to expand or for new ones to be established in communities without such services. Home health agencies do not have sufficient funds to finance the expansion of services since their fees for services performed barely cover operating costs. One agency wrote the committee of being asked to expand into two neighboring counties without any home care services. It was hesitant to do so, because of the possibility of incurring increased costs which surpass income.

Mr. President, because of the need to expand home care agencies, particularly in rural areas, my bill would provide funds for public and nonprofit agencies in areas without such agencies. It would also authorize funds to expand services in existing agencies.

In addition, the proposed legislation would provide grants to public and nonprofit private agencies and institutions for training programs for home health personnel. Professional and paraprofessional personnel would be trained to staff expanding agency services.

Under the companion legislation which Senator MUSKIE and I have also introduced, homemaker and home health aid services would be made more available under medicare. Therefore it is anticipated that many more aides will be required. Now we have only about one homemaker-home health aide for every 7,000 population and the aides are clustered primarily in urban areas of the eastern seaboard. Just how inadequate this supply of aides is can be judged by the fact that the White House Conference on Aging recommended a ratio of one homemaker-home health aide per 100 older persons.

Mr. President, this legislation would make it possible for home health agencies to begin to expand their services and to reverse a downward trend caused in part by a too narrow interpretation of the medicare home care benefit. Other legislation which I have cosponsored would liberalize this benefit and allow coverage for desperately needed home services. The bill I am introducing now would insure that comprehensive home care services are available not just in a few urban areas, but to all of the elderly wherever they may be.

Mr. President, I urge early adoption of this legislation and ask unanimous consent that the bills be printed in the RECORD at this point.

EXHIBIT 1

S. 2690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1814 (a) (2) (D) of the Social Security Act is amended to read as follows:

"(D) in the case of post-hospital home health services, such services are or were required because the individual is or was confined to his home (except when receiving items and services referred to in section 1861 (m) (7)) and needed nursing care on an intermittent basis or any of the other items or services referred to in section 1861 (m); and a plan for furnishing such services to such individual has been established and is periodically reviewed by a physician; or".

(b) Section 1835(a) (2) (A) of such Act is amended to read as follows:

"(A) in the case of home health services, such services are or were required because the individual is or was confined to his home (except when receiving items and services referred to in section 1861(m) (7)) and needed nursing care on an intermittent basis or any of the other items or services referred to in section 1861(m); and a plan for furnishing such services to such individual has been established and is periodically reviewed by a physician;".

(c) The amendments made by subsections (a) and (b) shall be effective only with respect to services provided in calendar months after the calendar month which follows the month in which this Act is enacted.

SEC. 2. (a) (1) Section 1812 (a) (3) of the Social Security Act is amended by striking out "100 visits" and inserting in lieu thereof "200 visits".

(2) The first sentence of section 1812(d) of such Act is amended by striking out "100 visits" and inserting in lieu thereof "200 visits".

(b) (1) Section (a) (2) (A) of such Act is amended by striking out "100 visits" and inserting in lieu thereof "200 visits".

(2) The first sentence of section 1834(a) of such Act is amended by striking out "100 visits" and inserting in lieu thereof "200 visits".

(c) the amendments made by subsection (a) shall be applicable in the case of home health services provided under part A of title XVIII of the Social Security Act on visits which occur in one-year periods (described in section 1861 (n)) of such Act which begin, in the case of any individual, after the date of enactment of this Act. The amendments made by subsection (b) shall be applicable in the case of home health services provided under part B of such title XVIII in calendar years which begin after the date of enactment of this Act.

SEC. 3. (a) Section 1861(m) (4) of the Social Security Act is amended to read as follows:

"(4) part-time or intermittent services of a home health aid and of a homemaker,".

(b) The amendment made by subsection (a) shall be applicable only in the case of services furnished in calendar months after the calendar month which follows the calendar month in which this Act is enacted.

S. 2695

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 "Home Health Services Act of 1973".

SEC. 2. Title VI of the Public Health Service Act (42 U.S.C. 201) is amended by redesignating Part D as Part E and inserting after Part C the following new Part:

"PART D—Establishment and operation of home health agencies

"SEC. 635. (a) For the purpose of assisting in the establishment and initial operation of public and nonprofit private agencies (as defined in section 1861(o) of the Social Security Act) which will provide home health services (as defined in section 1861(m) of the Social Security Act) in areas in which such services are not otherwise available, the Secretary may in accordance with the provisions of this section, make grants to meet the initial costs of establishing and operating such agencies and expanding the services available in existing agencies, and to meet the costs of compensating professional and paraprofessional personnel during the initial operation of such agencies or the expansion of services in existing agencies.

"(b) No part of any grant made under this section shall be used for the construction of facilities, and no recipient of an initial grant under this section shall be eligible for further assistance under this section.

"(c) In making grants under this section, the Secretary shall consider the relative needs of the several States for home health services and preference shall be given to areas in which a high percentage of the population proposed to be served is composed of individuals who are elderly, medically indigent, or both.

"(d) Applications for assistance under this section shall be in such form and contain

such information as the Secretary shall prescribe by regulation.

"(e) Payment of grants under this section may be made in advance or by way of reimbursement, or in installments as the Secretary may determine.

"(f) There are authorized to be appropriated to carry out the purposes of this section such sums as may be necessary. Funds appropriated under this subsection for any fiscal year shall remain available until expended.".

SEC. 3. (a) Part D of title VII of the Public Health Service Act (42 U.S.C. 201) is amended by inserting after section 767 the following new section:

"GRANTS FOR TRAINING OF PERSONNEL TO PROVIDE HOME HEALTH SERVICES

"SEC. 767A. (a) From the funds appropriated to carry out this section, the Secretary is authorized to make grants to public and nonprofit private agencies and institutions to assist them in initiating, developing, and maintaining programs for the training of professional and paraprofessional personnel to provide home health services (as defined in section 1861(m) of the Social Security Act).

"(b) Applications for grants under this section shall be in such form and contain such information as the Secretary shall by regulations prescribe.

"(c) Payment of grants under this section may be made in advance or by way of reimbursement, or in installments as the Secretary shall determine.

"(d) There are authorized to be appropriated to carry out the purposes of this section such sums as may be necessary. Funds appropriated under this section shall remain available until expended.".

(b) The caption for Part D of title VII of such Act is amended by adding at the end thereof:

"AND TRAINING OF PERSONNEL TO PROVIDE HOME HEALTH SERVICES"."

By Mr. MONDALE (for himself, Mr. HUMPHREY, Mr. NELSON, and Mr. PROXMIRE):

S. 2691. A bill to designate the Kettle River, in the State of Minnesota, as a component of the National Wild and Scenic Rivers System. Referred to the Committee on Interior and Insular Affairs.

Mr. MONDALE. Mr. President, I am today introducing a bill to designate the Kettle River in the State of Minnesota as a component of the National Wild and Scenic Rivers System.

The Kettle is one of the few still primitive rivers in the United States which lie within easy access of a major population center. It is a river of extraordinary scenic beauty, located midway between Duluth and the Twin Cities metropolitan area. More than 2 million people—or over half the population of Minnesota—could reach this untouched scenic and recreational area by 1 hour's drive.

Since the mid-1960's the tremendous potential of the Kettle for river-related recreational opportunities has been recognized by the State of Minnesota. It was first designated by the Minnesota Department of Conservation as a State canoe route, and earlier this year the Kettle was among those rivers cited for study under the new Minnesota Wild and Scenic Rivers Act. The Minnesota Department of Natural Resources is currently conducting a study of the Kettle to identify methods to protect this unique natural resource for future generations.

But with limited State resources, I believe Federal help is necessary to insure an effective preservation program. There is a strong Federal interest in seeking to safeguard the Kettle, an interest that is intensified by the fact that it is a tributary of the St. Croix River, a component of the National Wild and Scenic Rivers System.

On its own merits, however, I have no doubt that the Kettle would qualify for protection under the criteria set forth in the National Wild and Scenic Rivers Act.

The Kettle is a fascinatingly wild and picturesque river with rapids interspaced with long pools providing a challenge as well as a chance for relaxation and quiet reflection to its visitors.

The glacial geology of the area, as reflected in the river corridor, is also a strong point of interest. Moraines, glacial outwash plains, gorges, kettle holes, and caves can be seen along the river.

Wide varieties of wildlife roam the riverway. Deer, beavers, muskrats, herons, and hawks all inhabit the area. Fishing is excellent, especially for walleyes, sturgeon, and small mouth bass. Northern pike, red horse, suckers, and trout are also caught in the Kettle's clear waters.

The Kettle River has its headwaters in Carlton County and flows in a generally north-south direction, crossing Pine County and emptying into the St. Croix roughly 53 miles away.

Along the northern part of the river, for the first 6 miles, the river flows through an area of glacial moraine. Pools and rapids are closely spaced and do not exceed 50 yards in length. The rapids are very difficult to canoe even in high water.

The river banks are gravel with heavy forests of small aspen and birch and with an occasional stand of larger Norway pine, white pine, and black spruce. The magnificent forest growth extends very near the water's edge enclosing the river.

Starting at mile 6.9 a large open field on the left bank signifies a change in the river's characteristics. The mouth of the Kettle widens so that pools and rapids become longer—100 yards—and deeper. Rapids are more easily traversed because of the gravel bottom, and the banks of the river are higher and grassy, leveling out on top.

From mile 10 to 13 the river broadens out among islands, grass areas with low banks of sand and gravel. Distinguishing the main channel is difficult. Maple and elm are the dominant species of hardwoods, but there are a few pine visible. At mile 12.8 the Moose River joins the Kettle contributing a great deal of water which could be the reason for the strange behavior of the Kettle River directly above.

Below the confluence with the Moose River, the Kettle becomes entrenched and narrows down once more. Pine are intermingled with hardwoods; farmland extends down to the edge of the river. The open woods, caused by grazing, are peaceful and scenic. There are no rapids in this stretch.

Beginning at mile 21, the Kettle River widens to more than 150 feet with the average depth about 4 feet. The banks slope up and away from the river and are covered with pine and hardwoods. At mile 23.9 a short set of rapids with a speed pitch occurs and running them in high water is possible. A magnificent rock outcrop stands more than 10 feet above the water on the right bank, and there is a campsite on top of the rock outcrop. Directly below these rapids, interstate 35W crosses the river, but there is no road access to the river. Downstream, high hills begin to appear, and the river's characteristics remain much the same until entering Banning State Park.

The Kettle River flows through Banning State Park in a gorge approximately 130 feet deep, which forms the Hells Gate Rapids. These rapids are about 1 mile long and consist of four major drops of about 5 feet each. There is no portage and running the rapids is exciting and challenging. The river remains entrenched for more than 100 feet until it reaches the remains of the Kettle River Dam 33 miles from its northern beginning.

Below the Kettle River Dam, the river passes through several short rapids of moderate difficulty and through numerous pools, one of which is more than 20 feet deep. At mile 36.1 skillful, swiftly flowing rapids about one-half mile long appear.

From mile 37 to 46 the river once again, becomes more than 200 feet wide and placid: Flood plains develop on both sides with open hardwood forests. At this point the lower Kettle River Rapids begin. These rapids are moderate in difficulty and very popular with canoeists. They are, however, wide and shallow and, like other Kettle rapids, cannot be run in low water.

The Kettle basin is largely in the central and northern part of Pine County, but headwaters are partly in Carlton County and to a lesser degree in Aitkin and Kanabec Counties. There are some farms, but roughly two-thirds of the basin is forested. Pine County in 1964 included nearly 2,000 farms, predominantly in the southern part, outside the Kettle basin. Forest industries are important, but there is no national forest.

There are several communities near the river—Sandstone and Moose Lake each have populations of about 1,500 persons. Barnum and Willow River, each less than 500, and Kettle River, about 230. In addition to the St. Croix State Park near the mouth of the river, Banning State Park, a tract of about 2,700 acres near Sandstone, was added in 1963. There are three small municipal parks with a few picnic tables; one or more of these parks provide access to the Kettle. There are monuments to historic events, surrounded by numerous trout streams, northern pike spawning areas, and five official fish and game areas.

By nature it is an excellent recreation area, not yet overdeveloped. Pine County in the mid-1960's contained 5 hotels, 6 motels, and 19 resorts. The area is thinly populated and has not begun to reach its recreational potential.

There are 17 homes located along the river's edge although only 5 may be seen from the river. Two of the five are old farmsteads while the remainder are homes which have penetrated the wilderness setting. Fourteen bridges and two trestles cross the river.

There are developed access points at

miles 21, 33, 40.5, and 47; however, access is also possible at other bridge crossings. There are no developed campsites on the Kettle River.

Approximately 26 miles of the Kettle River are already in public ownership of one form or another. The Gen. C. C. Andrews State Forest abuts on the east side of the river from mile 13 to mile 15.2. The undeveloped Banning State Park abuts both sides of the river from mile 24.2 to mile 30.8. The Sandstone Game Refuge abuts the east side of the river from mile 31.5 to mile 40.5.

Chengwatan State Forest and St. Croix State Park abut the river from mile 42.6 to mile 51. Other stretches of the river are within the municipalities of Kettle River, Rutledge, and Sandstone. Finally, the State and county own small parcels of land on the river, which have not been declared parks, game refuges, et cetera.

This description can hardly touch upon the actual beauty of the Kettle, but it is a truly magnificent river which deserves the protection of the wild rivers system.

In too many cases, escalating pressures for development have ruined natural areas before local citizens and Government agencies have been able to respond. With the Kettle I believe action by the Federal Government, cooperation with the State of Minnesota and units of local government, can prevent such a tragedy. The bill I offer today is designed to achieve this objective, and I am hopeful of its favorable consideration by the Senate.

By Mr. CASE:

S. 2692. A bill to provide emergency security assistance authorizations for Israel and Cambodia. Referred to the Committee on Foreign Relations.

Mr. CASE. Mr. President, I introduce legislation to provide $2.2 billion to replace equipment lost by Israel in the recent fighting.

The bill authorizes the President to use the funds for emergency military assistance grants or for military sales credits, or for both as the President may determine. This is in accordance with President Nixon's recommendation. Identical legislation has been introduced in the House of Representatives.

The purpose of the measure is to restore the balance of forces in the Middle East, without which peace is impossible. It will not, when enacted, expand Israel's military capacity beyond that level.

The full extent of Israel's losses still remains unknown. We do know that many jet aircraft and tanks were either destroyed or damaged during the conflict. Personnel carriers, trucks, communications equipment, and other military items were damaged or destroyed. A U.S. military mission is now on the scene assessing the damage and estimating what must be replaced and what can be repaired. It is expected this mission will be reporting in a matter of days and it is my hope hearings can then be held by the Senate Foreign Relations Committee.

All of us are enormously encouraged by what appears to be progress in moving toward a peace settlement in the Middle East. This does not, however, take away the necessity of maintaining military balance in the area and insuring that Israel can defend herself. Indeed, maintenance of the balance is the essential condition for continuing progress in reaching a settlement.

By Mr. COOK (for himself, Mr. BAKER and Mr. BARTLETT):

S. 2694. A bill to establish an Energy Research, Development, and Demonstration Administration, and to reorganize, consolidate, and supplement within it, Federal responsibility, authority, funding, and financing for conducting a national program for scientific research, development, and demonstration in energy and energy-related technologies designed to resolve critical energy shortages. Referred to the Committee on Interior and Insular Affairs.

Mr. COOK. Mr. President, I am cosponsor of S. 1283, introduced by Senator JACKSON, an energy conservation measure. On review, however, I find that this bill makes no permanent requirements for funding, thus leaving it to Congress to appropriate at any level of funding after the first year, or at no level of funding at all.

Second, it fragments the research as follows:

Coal gasification, $6 million per year for 10 years.

Coal liquification, $7,500,000 per year for 12 years.

Geothermal, $8 million for 15 years.

Advanced power cycle development, $6,500,000 per year for 10 years.

Shale oil development, $5 million per year for 8 years.

Each category has its own corporation and functions independently of the others. On reflection then, the Jackson bill has two serious shortcomings:

First. No trust is established, and funding is thus left to succeeding Congresses.

Second. Separate corporate structures to accomplish the same end is cumbersome, and will not work.

We in this country solved our highway problems with the highway trust—no one doubts that this would never have been accomplished without such a trust.

R. & D. in the energy field will never solve the problems of this Nation without the essentials of a uniform facility to attack the problem and a specific energy trust to allow such a massive program to unequivically meet a deadline of absolute accomplishment.

Therefore, Mr. President, on July 13 of this year for myself, Senator ROBERT BYRD and Senator HOWARD BAKER, I introduced S. 2167, a bill to accelerate energy research and development by providing adequate funding over a continuing period of time through the creation of an energy research and development fund. The fund would draw its support from those moneys received by the Federal Government from its lease sales of public lands on the Outer Continental Shelf. I reasoned that as it was the shortage of energy which now enhanced the value of these public assets, this new revenue should in turn be used to find relief to the energy problem itself. I still believe that this reasoning is sound and am more than ever convinced that we will never achieve our R. & D. goals by year to year financing and must adopt some type of trust fund concept. However, there is good argument for broadening the base of this fund by including receipts from Federal lease sales and all other sales or grants of development rights of energy sources on Federal lands.

It has now been 4 months since I introduced this bill and while I have been promised by the chairman of the Senate Interior Committee that hearings will be held at an early date, this date has as yet not been set.

In my original concept I envisioned that the fund would be managed and coordinated by the Interior Department. However, in my introductory remarks, I recognized that new organizational concepts were being considered and suggested that should the President's reorganization reach fruition, that there may be a new office better suited for this purpose.

In his address to the Nation last Wednesday, the President put forward several programs to deal with the immediate energy problems we face today. I support his intent and applaud the rapid action being taken by the Interior Committee to develop the necessary legislation to implement these programs. However, as necessary as these programs are, they are all in the form of a fire fighting stop gap nature and do not address the long-term problem which this Nation must solve.

One program advanced by the President is of particular interest to me and this is the creation of an Energy Resource and Development Administration to control the Nation's efforts in this area. The idea is not new as it is found in the President's earlier program to create a Department of Natural Resources. What is new is the suggestion that we remove R. & D. from the proposed department and create a new independent administration. I think this is sound and I support it.

The President has compared the need for such an effort to the Manhattan project of World War II, which made this Nation the major nuclear power at that time. He also compared this need to the space program of the 1950's which made America the first nation to put a man on the Moon.

I might say there is one that he forgot, Mr. President, and that is that when World War II started, we all thought there was not going to be an automobile in the country that could get any more rubber tires.

It took this Nation 1 year to come up with synthetic rubber, and the only thing we care about rubber trees for today is that they give somebody shade somewhere in the world.

As the President expressed it:

> Whenever the American people are faced with a clear goal and they are challenged to meet it, we can do extraordinary things.

This then is the backdrop for the initiation of "project independence." However, much as I agree with the stated objectives of energy sufficiency by 1980, I am not convinced that the proposal as now being considered can attain this goal. I still hold that we need the energy trust fund. I believe that we need an independent agency to manage this fund and insure that we direct our efforts to programs ranging from the exotic—such as wind and tidal or ocean current power,

to the realizable—such as coal gasification and liquefaction whether our goal is energy self-sufficiency by 1980 or 1985, this Nation's efforts must be wide-ranging and broad in scope. We must not overlook any possibility, however remote or far fetched it may seem.

Accordingly I am today introducing a bill which will accomplish these long-range goals and at the same time incorporate the vital trust fund concept contained in S. 2167. I go one step further, because I do not think that we can reach our goals by research and development alone. I believe that we must include the all important demonstration step in the process.

From my own personal experience I have found that when the R. & D. phase of energy production has been reached there is not adequate provision to support the demonstration phase so necessary to prove or disprove the R. & D. scale model. I suggest that with the creation of the Energy Research Development and Demonstration Administration—ERDDA—supported by adequate trust fund we have a fighting chance of locking our energy problems.

I ask unanimous consent that the bill along with the brief explanation attached be printed at the conclusion of my remarks. I solicit the support of my colleagues and urge that the Senate take prompt action to effect this legislation.

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

S. 2694

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 "Energy Research, Development, and Demonstration Administration Act."

TITLE I

STATEMENT OF FINDINGS AND DECLARATION OF PURPOSE

SEC. 101. The Congress hereby finds—

(a) The nation is currently suffering a critical shortage of environmentally acceptable forms of energy.

(b) A major reason for this energy shortage is our lack of an aggressive research, development, and demonstration (referred to hereinafter as "research and development," in accordance with Section 117) effort to develop a national capability for energy self-sufficiency by proper utilization of our large reserves of domestic fossil fuels, nuclear fuels, and geothermal energy, and the potentially unlimited reserves of solar power, nuclear, and other unconventional sources of energy.

(c) Many current uses of our limited basic energy resources, including the conversion of basic energy to an alternate form are highly inefficient.

(d) Current levels of funding by the Federal Government for energy research and development are inadequate and too fragmented to develop a program of the scope needed to insure efficient use of existing sources and to identify and develop the most technically, environmentally and economically feasible methods for utilizing energy from domestic resources.

(e) The capital requirements of a total energy research and development program of the magnitude needed are beyond the means of private sources.

(f) The nation's critical energy problems can be timely solved only if a national commitment is made now to accord the highest priority, to dedicate the necessary financial resources, and to enlist our unequaled scientific and technological capabilities to meet the national energy needs, conserve vital resources, and protect the environment.

SEC. 102. (a) The general welfare, the common defense, and security urgently require and it is Congress' purpose here to undertake a national commitment to resolve the energy shortages and provide the means for achieving a national capability for energy self-sufficiency through socially and environmentally acceptable methods for producing, conserving, and utilizing all forms of energy.

(b) To effectuate that commitment it is Congress purpose to consolidate and strengthen existing and initiate new Federal programs for energy research and development, in an Energy Research, Development, and Demonstration Administration, established hereinbelow and authorized and charged with exercising central responsibility for policy planning, coordination, support, and management of research and development programs, including commercial-sized demonstration plants, and respecting all forms of energy sources.

(c) The Congress further declares and finds that it is in the public interest that responsibility for all Federal energy research and development programs be transferred to the Energy Research, Development, and Demonstration Administration, and that this transfer be effected in an orderly manner assuring adequacy of technical and other resources necessary for the performance of such programs.

TITLE II

ESTABLISHMENT AND ORGANIZATION OF ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION ADMINISTRATION

SEC. 103. There is hereby established, as an independent establishment of the executive branch of the Government of the United States, the Energy Research, Development, and Demonstration Administration (hereinafter referred to as the "Administration" or "ERDDA").

BOARD OF GOVERNORS

SEC. 104. (a) The management and direction of all the affairs and interests of ERDDA shall be vested in a Board of Governors (hereinafter referred to as "the Board" or "the Governors"), composed of 15 members.

Eight of the Governors shall be Government officials, as follows:

1. As Chairman of the Board, the official designated by the President as having primary responsibility for energy policy (subject to Senate confirmation if not already confirmed for his primary office);

2. The Director of the National Science Foundation;

3. An Assistant Administrator of the National Aeronautics and Space Administration, designated by the Administrator of that Administration;

4. An Assistant Secretary of Defense, designated by the Secretary of Defense;

5. A member of the Atomic Energy Commission (proposed hereinbelow to be renamed the "Nuclear Energy Commission"), designated by that Commission;

6. A member of the Federal Power Commission, designated by that Commission;

7. A member of the Council on Environmental Quality, designated by that Council;

8. The Administrator of ERDDA, appointed to that position in accordance with Section 107(b) below.

Seven Governors shall be appointed by the President with the advice and consent of the Senate, as follows:

1. A person with high qualifications and responsibilities in the coal industry whose appointment shall be made from a list of recommendations by the principal national organizations representing the coal industry;

2. A person with high qualifications and responsibilities in the nuclear power industry whose appointment shall be made from a list of recommendations by the principal national organizations representing the nuclear power industry;

3. A person with high qualifications and responsibilities in the natural gas industry whose appointment shall be made from a list of recommendations by the principal national organizations representing the natural gas industry;

4. A person with high qualifications and responsibilities in the petroleum industry whose appointment shall be made from a list of recommendations by the principal national organizations representing the petroleum industry;

5. A person with high qualifications and responsibilities in the electric industry whose appointment shall be made from a list of recommendations by the principal national organizations representing the electric industry;

6. A representative from the public at large with high qualifications and responsibilities for environmental concerns; and

7. A representative from the public at large with high qualifications and responsibilities for consumer concerns.

(b) The terms of the government members of the Board shall coincide with their terms in the offices here qualifying them to serve on the Board. The terms of the seven non-government members shall each be for 4 years subject to prior removal by the President, for cause, except that in order to provide staggered terms, the terms of 2 initial Governors, designated by the President, shall be for 3 years, the terms of 2 shall be for 2 years, and the term of 1 shall be for 1 year. Any Governor appointed to fill a vacancy occurring before the expiration of the term for which his predecessor had been appointed shall serve for the remainder of such term. Each Governor shall be reimbursed for travel and reasonable expenses incurred in attending meetings of the Board.

(c) 1. The Board shall meet quarterly and on call.

2. Vacancies in the Board, as long as there are sufficient members to form a quorum, shall not impair the powers of the Board.

3. The Board shall act upon majority vote of those members who are present, and any eight members present shall constitute a quorum for the transaction of business by the Board; except that a favorable vote of an absolute majority of the Governors in office shall be required for the approval of annual budgets, and for the appointment, removal, and setting of compensation for the Administrator and Deputy Administrator.

ADMINISTRATOR; DEPUTY ADMINISTRATOR

SEC. 105. The Administrator of ERDDA, appointed pursuant to Subsection 107(a) below, shall serve as the Chief Executive Officer of the Administration, in accordance with Subsection 107(c) below. The Deputy Administrator, appointed under Subsection 107(a) below, shall be the alternate Chief Executive Officer. He shall act for and exercise the powers of the Administrator during his absence or disability.

GENERAL COUNSEL; ASSISTANT ADMINISTRATORS

SEC. 106. There shall be within the Administration a General Counsel, and such number of Assistant Administrators as the Board shall consider appropriate. The General Counsel and the Assistant Administrator shall be appointed by, and serve at the pleasure of the Administrator.

TITLE III

FUNCTIONS

SEC. 107. (a) The Board shall appoint the Administrator of ERDDA from a list of people recommended by the National Science Foundation, the National Academy of Science, and the National Academy of Engineering as highly competent to administer the important and complex energy research and development responsibilities of ERDDA. The Board shall also appoint the Deputy

Administrator, and it shall have the power to remove the Administrator and the Deputy Administrator, and it shall fix their pay and terms of service.

(b) The Board may delegate its authority to the Administrator under such terms, conditions, and limitations, including the power of redelegation, as it deems desirable, and it may establish such Committees as it determines appropriate to carry out its functions and duties; such delegations shall be consistent with other provisions of this Act, shall not relieve the Board of full responsibility for carrying out its duties and functions, and shall be revocable by the Board in its exclusive judgment.

(c) The Administrator, as Chief Executive Officer of the Administration, shall be responsible to the Board for implementation of this Act and administration of ERDDA. He shall present an annual budget to the Board of Governors for their review and approval. After the Board has approved a budget, the Administrator may obtain specific moneys within it, from the fund established in Section 114 hereinbelow, by notice to the Secretary of the Treasury that such moneys are needed as of a certain date to carry out the program and budget approved by the Board.

(d) The Administration shall exercise central responsibility for policy planning, budgeting, initiation, coordination, support, and management of research and development programs respecting all forms of energy sources, including but not limited to those specified in Subsection (e) below. It shall be responsible for assessing the requirements for research and development in regard to various forms of energy sources in relation to near-term and long-range needs, for policy planning, and for budgetary and expenditure control to meet those requirements, for retaining, supporting, and where needed, strengthening effective existing programs, and for initiating new programs as needed for the optimal development of all forms of energy sources, from research through commercial-sized demonstrations, for providing appropriate priority and balance among nuclear, fossil fuel, geothermal, solar, and other energy research and development responsibiilties, for managing such programs, for terminating them when their purpose has been accomplished or when they are no longer feasible, and for disseminating information resulting therefrom.

(e) The Administration shall have all the authority incidential, necessary, or appropriate to implementing its responsibilities, including without limitations, authorization:

1. to ensure that full consideration and adequate support is given to advancing energy research and development of efficient and environmentally acceptable energy sources, technologies, and techniques including but not limited to:

(i) coal gasification;

(ii) coal liquefaction;

(iii) solvent refined coal;

(iv) improved extraction methods and *in situ* conversion of fuels;

(v) advanced power cycle development;

(vi) shale oil development;

(vii) geothermal energy;

(viii) thermally-actuated heat pumps;

(ix) fuel cells and other direct conversion methods;

(x) solar energy;

(xi) hydrogen as an energy form;

(xii) nuclear breeder processes;

(xiii) fusion processes;

(xiv) magnetohydrodynamics;

(xv) use of agricultural products for energy;

(xvi) utilization of waste products for fuels;

(xvii) cryogenic transmission of electric power;

(xviii) electrical energy storage methods;

(xix) alternative to internal combustion engines;

(xx) wind power;

(xxi) tidal power; and

(xxii) ocean current and thermal gradient power;

2. to prescribe such policies, standards, criteria, procedures, rules, and regulations as it deems necessary or appropriate.

3. to enter into such contracts and agreements, including grant agreements, with public agencies and private organizations and persons; to make payments therefor (in lump sum or installments, and in advance or by way of reimbursement, and with necessary adjustments on account of overpayments and underpayments).

4. to engage in joint projects of a research, developmental, and demonstration nature with public agencies and private organizations or individuals in the organizational form deemed appropriate, and to perform services with or for them on matters of mutual interest, the cost of such projects or services to be apportioned equitably by the Administration.

5. to acquire any of the following described rights if the property acquired thereby is for use by or for, or is useful to, the performance of functions vested in the Administration:

(i) copyrights, patents, and applications for patents, designs, processes, and manufacturing data;

(ii) licenses under copyrights, patents, and applications for patents;

(iii) releases, before suit is brought, for past infringement of patents or copyrights; and

(iv) use of Federal lands (except lands preempted for other use by Federal statutes) which contain energy sources which ERDDA determines are necessary to carry out its research and development functions and programs. The responsible officials of such other departments or agencies which have jurisdiction over Federal lands are hereby authorized and directed to make such lands available to ERDDA under terms and conditions promulgated by them to protect the environment and other resource values of lands involved.

6. to make special studies concerning matters within the special competence of the Administration; to prepare from the records of the Administration special compilations, lists, bulletins, or reports; to furnish transcripts or copies of such studies, compilations, and other records; to provide copies of charts, maps, or photographs, and to provide services incident to the conduct of the regular work of the Administration. The administration shall require payment of the actual or estimated cost of such special work in accordance with regulations prescribed by the President.

7. to exercise, in relation to the functions transferred herein, to the extent necessary or appropriate to perform such functions, any authority or part thereof available by law, including appropriations Acts, to the official or agency from which such functions were transferred.

(f) The Administration shall utilize or acquire the facilities of existing Federal scientific laboratories engaged in energy research and development; it shall also establish and operate additional facilities and test sites; and it shall utilize such services of contract agencies as it considers necessary to effectuate the purposes of this Act.

(g) The Administrator shall, as soon as practicable after the end of each fiscal year, submit a Report to the Board, and the Board shall submit a Report to the President for transmittal to the Congress, on the activities of the Administration during the preceding fiscal year, with a full accounting of receipts and expenditures, projects terminated and initiated, and plans and progress made in developing new energy supply and in attaining the capability of energy self-sufficiency from domestic resources.

(h) The President, in the ninth year after the effective date of this Act, shall report to the Congress his evaluation of progress under it and his recommendation for continuance of the Federal energy research and development programs.

TITLE IV

TRANSFERS

SEC. 108. There are hereby transferred to and vested in the Administration such Federal energy research and development functions and programs as are essential to ERDDA's fulfilling its obligations under this Act. Without limitation, such transfer shall include:

(a) All energy research and development functions and programs of the Atomic Energy Commission and of the Chairman and members of the Commission except those pertaining to nuclear weapons or military use of nuclear power. The Atomic Energy Commission's research and development functions related to such military purposes shall be transferred to the Department of Defense, and the Secretary of Defense and ERDDA shall establish a special liaison committee to provide coordination, cooperation, and economy between the Department of Defense and ERDDA as to their respective research and development programs.

The remaining functions of the Atomic Energy Commission shall continue as provided in Section 115 below.

(b) All energy research and development functions and programs of the Secretary of the Interior, the Department of the Interior, and officers and components of that Department.

(c) The energy research and development functions and programs of such other Federal departments or agencies, including without limitation those in the Departments of Commerce, Transportation, Housing and Urban Development, and those in independent agencies such as the General Services Administration, the National Aeronautics and Space Administration, the National Science Foundation, and the Tennessee Valley Authority, as in ERDDA's judgment are necessary or appropriate for it to fulfill its responsibilities under this Act.

(d) Authority for reviewing and coordinating all other energy research and development functions and programs in Federal departments or agencies in the Executive Branch.

(e) Unexpended balances of appropriations, authorizations, allocations, and other funds relating to the functions transferred hereby to ERDDA shall be transferred as determined by the Director of the Office of Management and Budget in accordance with Section 109 below and with Section 202 of the Budget and Procedures Act (31 USC 581 (c)).

SEC. 109. (a) During the transition of transfers every effort shall be made to not in any way impede or impair the progress of current Federal energy research and development programs.

(b) Transfer of nontemporary personnel shall not cause any such employees to be separated or reduced in grade or compensation for one year after such transfer.

TITLE V

SAVINGS PROVISIONS

SEC. 110. All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges which have been issued, made, granted, or allowed to become effective by the President, any Federal department or agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred by this Act, and which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked by the President, the Administrator,

or other authorized officials, a court of competent jurisdiction, or by operation of law.

SEC. 111. (a) The provisions of this Act shall not affect any proceedings pending at the time it takes effect before any department or agency, or component thereof, functions of which are transferred by the Act, but to the extent such proceedings relate to functions so transferred, they shall be continued. Orders shall be issued in such proceedings, appeals taken therefrom, and payments made pursuant to such orders, as if the Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing herein shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued if the Act had not been enacted.

(b) Except as provided in Subsection (d)—

1. the provisions of this Act shall not affect suits commenced prior to the date this Act takes effect, and

2. in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if the Act had not been enacted.

(c) No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency whose functions are transferred by the Act shall abate by reason of enactment of the Act. No cause of action by or against any department or agency, functions of which are here transferred, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the United States or such official as may be appropriate and, in any litigation pending when this Act takes effect, the court may at any time, on its own motion or that of any party, enter any order which will give effect to the provisions of the Act.

(d) If, before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit involving any function of such department, agency, or officer transferred by this Act to the Administration, then such suit shall be continued as if this Act had not been enacted, with the Administration substituted.

(e) Final orders and actions of any official or component in the performance of functions transferred by this Act shall be subject to judicial review to the same extent and in the same manner as if there had been no transfer. Any statutory requirements relating to notices, hearings, action upon the record, or administrative review that apply to any function transferred hereby shall apply to the performance of those functions by the Administration, or any officer or component.

SEC. 112. With respect to any function transferred by the Act and performed after its effective date, reference in any other law (including reorganization plans) to any department or agency or any officer or office the functions of which are so transferred shall be deemed to refer to the Administration or officials thereof in which this Act vests such functions.

SEC. 113. Nothing herein shall be construed to limit, curtail, abolish, or terminate any function of the President which he had immediately before the effective date of the Act; or to limit, curtail, abolish, or terminate his authority to perform such function; or to limit, curtail, abolish, or terminate his authority to delegate, redelegate, or terminate any delegation of functions.

TITLE VI

FUNDING

SEC. 114. (a) There is hereby established in the Treasury of the United States a trust fund to be known as the Federal Energy Research, Development, and Demonstration Trust Fund (referred to herein as the "fund"). The fund shall consist of such amounts as may be credited or appropriated to it as provided in this section, and moneys so credited or appropriated are hereby made available to ERDDA for carrying out the purposes of this Act including the administration thereof, without fiscal year limitations.

(b) Commencing with the fiscal year ending June 30, 1974, and each fiscal year thereafter, all revenues (except so much thereof as may be already obligated under the provisions of other legislation such as Section 2(c)(2) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5) due and payable during each such fiscal year to the United States for deposit in the Treasury as receipts from Federal lease sales of all energy sources, as well as royalties and other revenues derived from operations on, or the use of, such Federal leases, shall, up to $2,000,000,000, be credited to the fund.

(c) In addition to the moneys credited to the fund pursuant to Subsection (b) of this section, there is authorized to be appropriated to the fund for the fiscal year ending June 30, 1974, and each fiscal year thereafter, such amount as is necessary to make the income of the fund $2,000,000,000 for each such fiscal year.

(d)(1) It shall be the duty of the Secretary of the Treasury to manage the fund and (after consultation with appropriate officials of ERDDA) to report to the Congress not later than the first day of March of each year on the financial condition and the results of the operations of the fund during the preceding fiscal year and on its expected condition and operations during each fiscal year thereafter. Such report shall be printed as a Senate and House document of the session of the Congress to which the report is made.

(2) It shall be the duty of the Secretary of the Treasury to invest such portion of the fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (A) on original issue at the issue price, or (B) by purchase of outstanding obligations at the market price. The purpose for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

(3) Any obligation acquired by the fund (except special obligations issued exclusively to the fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par from the sale or redemption of, any obliga- plus accrued interest.

(4) The interest on, and the proceeds tions held in the fund shall be credited to and form a part of the fund.

TITLE VII

NUCLEAR ENERGY COMMISSION

SEC. 115. (a) The Atomic Energy Commission shall retain its functions pertaining to uranium and thorium reserve assessment, and its functions pertaining to the licensing and related regulatory functions of the Chairman and members of the Commission, the General Counsel, and other officers and components of the Commission performing such functions, which functions, officers, and components are not included in the transfer to the Administrator by section 108 above.

(b) The Atomic Energy Commission is hereby renamed the Nuclear Energy Commission.

TITLE VIII

EFFECTIVE DATE AND INTERIM APPOINTMENT

SEC. 116. The provisions of this Act dealing with title II (sections 103, 104, 105, and 106) shall take effect on the day of enactment. All other provisions shall take effect thirty days thereafter. Funds available to any department or agency (or any official or component thereof), any functions of which are transferred to the Administration by this Act, may, with the approval of the President, be used to pay the compensation and expenses of any officer appointed pursuant to this subsection until such time as funds for that purpose are otherwise available.

TITLE IX

DEFINITIONS AND ADMINISTRATIVE PROVISIONS

SEC. 117. (a) As used herein references to:

1. "function" or "functions" include references to duty, obligation, power, authority, responsibility, right, privilege, and activity, or the plural thereof, as the case may be;

2. "perform" or "performance" when used in relation to functions, include the exercise of power, authority, rights, and privileges;

3. "research and development" include all phases of Federal energy research, development, and demonstration, ranging from the conception of scientific and engineering principles appropriate for attaining a particular technological objective through the demonstration of their practical utility on a commercial scale, except to the extent they are for military purposes;

4. "demonstration" refers to that stage of a research and development program which typically follows the pilot plant stage and the objective of which is to establish the commercial feasibility of a particular process before it is put into commercial use;

5. "energy sources" include fossil fuels, geothermal energy, nuclear energy, solar energy, tidal energy, and other unconventional sources of energy;

6. "person" includes any individual, association, institution, corporation, or other entity, any state or political subdivision, or agency or institution thereof, and any Federal department or agency;

7. "the Act" or "this Act" refers to the "Energy Research, Development, and Demonstration Act" enacted herein;

8. "the Administration" or "ERDDA" refers to "the Energy Research, Development, and Demonstration Administration" established herein; and

9. "fund" refers to the Federal Energy Research, Development and Demonstration Trust Fund established herein.

Any reference to any provision of law shall be deemed to include, as appropriate, references thereto as now or hereafter amended or supplemented.

(b) The Administrator is authorized to accept, hold, administer, and utilize gifts,

and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Administration. Gifts and bequests of money and proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury and shall be disbursed upon the order of the Administrator. Property accepted pursuant to this section, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gift or bequest. For the purpose of Federal income, estate, and gift taxes, property accepted under this section shall be considered as a gift or bequest to the United States.

(c) The Administration shall cause a seal of office to be made of such device as the Board shall approve, and judicial notice shall be taken of such seal.

TITLE X

SEPARABILITY

SEC. 118. If any provisions of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

A BILL TO ESTABLISH AN ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION ADMINISTRATION

The attached proposed legislation is based on the conviction that a substantially increased centralized, and sustained energy research and development program, including demonstration, is indispensable to development of the nation's domestic energy sources, and thereby its energy self-sufficiency, through socially and environmentally accepted methods for producing, conserving and utilizing all forms of energy. Accomplishment of this vital effort requires a fresh new organization independent of existing organizations and procedures, and charged with overall and specific accountability for coordination, streamlined administration, and results.

The bill accordingly provides for the establishment of a new independent agency, the Federal Energy Research, Development, and Demonstration Administration ("ERDDA"). Responsibility is consolidated therein for coordinating and administering all existing, and for initiating, coordinating and administering extensive new, energy research and development functions and programs applicable to all forms of energy—except those undertaken for military purposes. Commensurate authority extends from overall policy planning and budget control, to all stages of particular projects, from initial conception through design, construction, operation and maintenance of commercial-sized dmonstration plants, such opreations to be carried on internally with ERDDA's own facilities, or by suitable arrangement with contract agencies.

A 15-member Board of Governors, composed of Government Officials qualified in energy and energy research and development, and of experts from the private sector, is responsible for overall supervision of ERDDA. The daily operations of ERDDA are to be directed by an "Administrator," who must be outstandingly qualified in those fields, and their management. He will serve as Chief Executive Officer responsible to the Board for carrying out the Board's policies consistent with the objectives and purposes of the Act.

To carry out this effort, the bill provides for funding through a special trust fund composed of receipts from Federal lease sales and all other sales or grants of development rights of energy sources on Federal lands, up to $2 billion a year. The payments to the Federal Government for energy development rights thus earmarked for development of new energy sources would provide the sustained continuity indispensable to a project of this nature.

By Mr. MATHIAS:

S.J. RES. 171. Joint resolution relating to U.S. support of U.N. activities in maintaining international peace and in providing and coordinating international disaster relief. Referred to the Committee on Foreign Relations.

Mr. MATHIAS. Mr. President, an uneasy truce lies with uncertainty in the Middle East. Only now, almost 3 weeks after a truce had been agreed to, have the Israelis and the Egyptians agreed, on the basis of Dr. Kissinger's diplomatic efforts, to permit the United Nations to dispatch peacekeeping forces to the Middle East to assist in observing whether the cease-fire terms agreed to are being respected. Once again, the United Nations is the last resort to keep the peace. Once again the United Nations has been called into action when the situation is almost hopeless.

When the U.N. Charter was written just after World War II, peacekeeping forces composed of units from all member states was seen to be a rational solution to the problem of maintaining the peace and reducing the need for large national standing armies. This rational ideal has never been realized despite the fact that the U.N. has successfully resolved very serious threats to the peace such as the wars in Cyprus and the Congo.

I introduce today a resolution calling for U.S. support of U.N. activities in maintaining international peace and providing for coordinating international disaster relief. I ask unanimous consent that the joint resolution be printed in the RECORD at this point.

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

S.J. RES 171

Whereas Congress has urged that there should be developed permanent organization and procedures to "enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that may threaten international peace and security" (H. Con. Res. 373, Eighty-fifth Congress, second session); and

Whereas the need for such forces has been demonstrated by past experience and will be even greater in the future; and

Whereas United Nations impartial peacekeeping forces will continue to be a major instrument for the maintenance of international peace and security; and

Whereas the United Nations has established a permanent Office of Disaster Relief Coordination, to provide and coordinate disaster relief, which Office can be an important instrument in maintaining international stability; and

Whereas the same personnel could be utilized by the United Nations in its peacekeeping activities and its activities in providing disaster relief: Now, therefore, be it

Resolved by the Senate and House of Representative of the United States of America in Congress assembled, That the Congress reaffirms its support for the United Nations peacekeeping and peacemaking and urges that—

(a) the United States Government—

(1) encourage and support the earmarking and specialized training of units by United Nations member states from their national forces for employment in United Nations peacekeeping operations;

(2) be prepared to make available to the United Nations, in accord with Constitutional processes, transport, communications, logistical, and other technical personnel and facilities; and

(3) be prepared to advocate or support, in accord with constitutional processes, proposals for guidelines to govern the financing, training, and equipping of peacekeeping forces for effective use; and

(b) as part of the long-range development of the United Nations as a more effective instrument for building and keeping peace, the United States Government encourage and support the creation of a permanent force under United Nations command to keep the peace as provided by the United Nations Charter.

SEC. 2. (a) The Congress urges the President to instruct the United States delegation to the United Nations to prepare and submit to the United Nations General Assembly an offer to furnish, in concert with other members of the General Assembly, support to the United Nations Office of Disaster Relief Coordination which was established to provide and coordinate disaster relief to any country or region of the world which has been affected by a disaster and solicits such relief.

(b) Such offer should include support to the Office so that the Office may achieve the following objectives:

(1) the prevention, prediction, and control of disasters;

(2) predisaster planning and preparedness, including stockpiling, training, and assistance from abroad;

(3) contingency plans for each country of the world or of geographic regions with a history of disasters of severe or frequent nature;

(4) rehabilitation and reconstruction;

(5) international organizational arrangements necessary to effect appropriate relief; and

(6) financial arrangements necessary to effect such relief.

SEC. 3. (a) In affirming the belief of the United States that providing and coordinating disaster relief through the United Nations Office of Disaster Relief Coordination is an essential element in any workable plan for world peace, there is established within the Department of Defense a permanent unit of not to exceed 5,000 technical and noncombatant personnel of the Department. Such unit shall be known as the First Brigade—Forces for International Relief on Standby. Upon a call of the United Nations Disaster Relief Coordinator, the First Brigade, or such members thereof as are called for by the Coordinator, shall be detailed to the Office, in accord with constitutional processes. Members of the First Brigade, while so detailed, shall be considered for all purposes as personnel of the United States Government.

(b) In submitting to the United Nations General Assembly the offer referred to in section 2 of this Act, the United States delegation to the United Nations shall also communicate to the General Assembly that the United States has established the First Brigade as evidence of its support of the Office and of its faith in the United Nations and its principles.

SEC. 4. To carry out the responsibilities of the United States as a member of the United Nations to participate in the peacekeeping activities of the United Nations, upon a call of the United Nations for personnel for its peacekeeping forces, the First Brigade, or such members thereof as are called for, shall be detailed to the United Nations, in accord with constitutional processes. Members of the First Brigade, while

so detailed, shall be considered for all purposes as personnel of the United States Government.

Mr. MATHIAS. The resolution I have introduced urges the U.S. Government to earmark specially trained units from U.S. Armed Forces for use in U.N. peace-keeping operations in accord with our constitutional processes. In addition, my resolution urges the Executive, again in accord with constitutional processes, to make available to U.N. peace-keeping forces transport, communications, logistical, and other technical personnel and facilities.

This special force earmarked for service with the U.N. peace-keeping forces should the occasion arise and should our constitutional processes authorize, would, in effect, be a "first brigade" to keep the peace.

The "first brigade" would also assist to meet natural disasters which have plagued the world in the past and will afflict the world in years to come.

It is my view that an effective U.N. peace-keeping force could do much to prevent future wars and would be an invaluable tool in the resolution of disputes between nations which have resulted so often in disasterous hostilities. I ask unanimous consent that this resolution be referred to the Foreign Relations Committee for consideration and action.

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

ADDITIONAL COSPONSORS OF BILLS

S. 203

At the request of Mr. TAFT, the Senator from Kansas (Mr. DOLE) was added as a cosponsor of S. 203, to amend the Internal Revenue Code of 1954 to permit the exclusion from gross income of a portion of the compensation received by full-time law enforcement officers and firemen employed by State and local governmental instrumentalities.

S. 483

At the request of Mr. TAFT, the Senator from Colorado (Mr. HASKELL) was added as a cosponsor of S. 483, to amend the act of October 15, 1966, relating to the preservation of certain historic properties in the United States.

S. 2052

At the request of Mr. CHURCH, the Senator from West Virginia (Mr. RANDOLPH) and the Senator from North Dakota (Mr. BURDICK) were added as cosponsors of S. 2052, to amend the Public Health Service Act to provide for training programs which will train nurse practitioners to serve as physicians' assistants in extended care facilities.

S. 2347

At the request of Mr. BEALL, the Senator from Nevada (Mr. BIBLE), the Senator from Kansas (Mr. DOLE), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Utah (Mr. MOSS), the Senator from Illinois (Mr. PERCY), and the Senator from Texas (Mr. TOWER) were added as cosponsors of S. 2347, to amend the Internal Revenue Code of 1954 to encourage the preservation and rehabilitation of historic buildings and structures and the rehabilitation of other property, and for other purposes.

S. 2518

At the request of Mr. MONDALE, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor of S. 2518, the Women's Educational Equity Act.

S. 2531

At the request of Mr. CHILES, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 2531, to amend title II of the Water Pollution Control Act Amendments of 1972.

S. 2589

At the request of Mr. JACKSON, the Senator from Alaska (Mr. STEVENS), the Senator from Nevada (Mr. BIBLE) and the Senator from New York (Mr. JAVITS) were added as cosponsors of S. 2589, the National Energy Emergency Act of 1973.

SENATE RESOLUTION 201—SUBMISSION OF A RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF THE REPORT OF THE COMMISSION ON THE BANKRUPTCY LAWS OF THE UNITED STATES

(Referred to the Committee on Rules and Administration.)

Mr. BURDICK submitted the following resolution:

S. RES. 201

Resolved, That there be printed for the use of the Committee on the Judiciary one thousand additional copies of the Report of the Commission on the Bankruptcy Laws of the United States.

ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 200

At the request of Mr. AIKEN (for Mr. HUMPHREY), the Senator from Utah (Mr. MOSS) and the Senator from Delaware (Mr. ROTH) were added as cosponsors of Senate Resolution 200, relating to the national security of the United States, which was adopted by the Senate on Friday, November 9, 1973.

NATIONAL EMERGENCY ENERGY ACT OF 1973—AMENDMENTS

AMENDMENT NO. 649

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

Mr. MOSS submitted an amendment intended to be proposed by him to the bill (S. 2589) to authorize and direct the President and State and local governments to develop contingency plans for reducing petroleum consumption, and assuring the continuation of vital public services in the event of emergency fuel shortages or severe dislocations in the Nation's fuel distribution system, and for other purposes.

AMENDMENT NO. 650

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

Mr. PROXMIRE. Mr. President, on behalf of myself and the Senator from North Carolina (Mr. HELMS), I submit an amendment to S. 2589, the emergency energy bill, which would outlaw the use of limousines, heavy and medium sedans by government officials and which would also deny funds to pay for the drivers and chauffeurs who spend countless hours driving high officials around Washington. I ask that the amendment be printed, appropriately referred, and made available for action when S. 2589 comes before us shortly. I also ask unanimous consent that the text of the amendment be printed at this point in the RECORD.

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

AMENDMENT NO. 650

At the proper place insert the following new section:

SEC. . (a) No funds made available under any Act may be used for the purchase, hire, or operation and maintenance of passenger motor vehicles (other than passenger motor vehicles of the types generally available in motor pools of Government agencies on the date of enactment of this Act) or for the salaries or expenses of chauffeurs or drivers to operate passenger motor vehicles.

(b) No funds made available under any Act may be used for the purchase, hire, or operation and maintenance of any passenger motor vehicle for the transportation of any Government officer or employee between his dwelling and his place of employment, except in cases of medical officers on outpatient medical service and except in cases of officers and employees engaged in field work in remote areas, the character of whose duties make such transportation necessary, and only when such exceptions are approved by the head of the department concerned.

(c) Subsections (a) and (b) shall not apply with respect to the purchase, hire, operation, and maintenance of (1) one passenger motor vehicle for use by the President, or (2) of passenger motor vehicles operated to provide regularly scheduled service on fixed routes.

ENERGY CRISIS

Mr. PROXMIRE. Mr. President, the country faces a grave energy crisis. At the same time literally hundreds of officials of this Government are provided, at taxpayers expense, with huge gas-guzzling limousiness with drivers and chauffeurs to wheel themselves to and from home, around town, to various social and official functions, and for a variety of other purposes both official and unofficial.

These are heavy, high horsepowered cars, with power steering and power brakes, air conditioning, and other excessive energy using devices. The chauffeurs routinely earn between $14,000 and $17,000 a year and the total cost of car and driver is at least twice the family income of the average American family.

My amendment would do away with both the limousines and the chauffeurs.

WHAT AMENDMENT DOES

Here is what it does.

First, it outlaws the purchase, hire, operation, and maintenance of limousines, medium and heavy sedans in the Government as a whole.

Second, it outlaws the payment of salaries or expenses for chauffeurs or drivers.

Third, it states that no funds can be

used for the purchase, hire, maintenance, or operation of any passenger vehicle for the transportation of any Government official to and from home.

The only exceptions to these prohibitions are the President of the United States who is allowed one passenger motor vehicle of the type otherwise forbidden, medical officers on outpatient duty and employees engaged in fieldwork hundreds of miles from their offices, who are allowed to drive an ordinary passenger car to and from home and their place of work, and drivers of Government motor vehicles who provide regularly scheduled service on fixed routes.

No one but the President can have a big car.

No one but the President, medical officers on outpatient duty, and officials on fieldwork are allowed to use a car to drive to and from home.

No one but the President is allowed to have a chauffeur or driver. And the only reason the President is excepted is for his security and safety on the rare occasions when he uses a car instead of a plane or helicopter.

That is what my amendment does.

Everyone else drives his own car, drives a small Government pool car on official business—and drives it himself—but not to and from home, or takes a shuttle, taxi, or walks.

I believe this action is long overdue. And the energy crisis brings it to a head. We must act now. There is no excuse for further procrastination.

GAS GUZZLING MONSTERS

How can any responsible Government official in good conscience insist on being driven around Washington in gas guzzling monsters when this Nation desperately needs every gallon of gasoline it can get for essential purposes?

We have dozens of officials who would rather keep their limousines than they would the substance of their programs. But how confused can our priorities be when Government officials call on the people to surrender our hard earned clean air because fuel is short and then show their selfish contempt by insisting on having the last word in personal, custom-designed gas wasting limousine service?

It is true of course that the amount saved by taking every Federal limousine out of service would be very small indeed. But the example given by Federal officials who make the decisions that impose sacrifices on all the American people are of the greatest importance.

Are those who administer gas rationing going to ride around in chauffeured limousines?

Are military officials who say we need emergency action in the interests of our national security going to keep the hundreds of chauffeur driven limousines they now have while the American housewife and the American breadwinner are denied gasoline and heating oil to drive to and from work or the store or to heat their homes?

I believe the answer will be a resounding "No" when this amendment is voted on.

HERE IS WHAT OFFICIALS CAN DO

Under my amendment here is what officials can do.

First, instead of having a big chauffeured limousine driven to pick them up in the morning and to take them home at night, they can join a carpool, preferably with their under secretary and their assistant secretaries who all tend to live in the same areas of Bethesda-Chevy Chase, McLean, Arlington, or Alexandria.

Second, for truly "official purposes," the small GSA cars can be used instead of the gas guzzlers.

Third, these pool cars can be driven by the officials themselves. They all know how to drive. Thousands of Government employees already drive Government cars. So why should not the Secretary of HUD or the Administrator of NASA or the Chief of Naval Operations or the Chairman of the Home Loan Bank Board or the U.S. Representative to the Advisory Committee on the Ryukyu Islands—all of whom now have cars and chauffeurs which drive them to and from home—join a carpool and drive themselves or take a taxi or ride the shuttle service from the Pentagon or their office to Capitol Hill when they have to get around Washington? In an emergency, they might even walk.

OFFICIALS MUST SET STANDARDS

How can American citizens take seriously the plea of our Government to reduce nonessential driving and to prepare patriotically for gas rationing when every Tom, Dick, and Harry bureaucrat cruises around the Nation's Capital in his own private gas guzzler furnished at taxpayer's expense?

Out of compassion for our long-suffering taxpayers, public officials should already have given up the snobbish symbol of arrogance that the chauffeured limousine has become.

NO TIME TO WAIT FOR STUDY

It is true that a congressional study is now underway that may curtail the use of limousines next year. But the gasoline and energy crisis is here now. What we need is some sensitivity on the part of those calling for sacrifices. Why should not they make a modest sacrifice of their own?

With the grave threat of gasoline and fuel oil shortages, the time to abandon the luxury of limousines has come.

Mr. President, I ask unanimous consent that two articles, one from the Los Angeles Times of November 8, 1973, entitled "VIP's Fuel the Crisis" and the other from the New York Times for November 12, 1973, by William Safire entitled "Deroyalization" be printed at this point in the RECORD.

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

VIP'S FUEL THE CRISIS

WASHINGTON.—One by one, the long, sleek automobiles drove through the White House gate and eased to a stop.

They were big cars, powerful cars—Cadillacs, Lincolns, Imperials and Mercurys. They were carrying dignitaries to an important conference in the Cabinet Room—fifteen governors, three mayors and three county supervisors.

For over an hour, the officials met with the President and his men, where they were told of the severe energy crisis gripping the nation. And outside, throughout the meeting, the engines of the big cars idled quietly, just enough to keep the motors warm and the interior heaters functioning.

DEROYALIZATION

(By William Safire)

WASHINGTON, November 11.—The imminence of gasoline rationing provides political figures with a golden opportunity: to shuck off some of the antidemocratic luxuries that encrust and demean the seats of power.

When the President summoned up the spirit of self-sacrifice and voluntary belt-tightening in his energy speech last week, he sought to set an example by placing speed restrictions on a half-million Federal vehicles.

A question arises: what is the Federal Government doing with a half-million vehicles, anyway? Further research shows that the Fed fleet drives three billion miles a year, slurping up 300 million gallons of gasoline and costing, exclusive of original purchase, $359 million every year.

There are 238,000 civilian cars in the Fed fleet; the 12,500 buses do not bother me, and I will grant the need for 33,000 ambulances, but what is the need for 76,000 sedans, and 800 "heavier-type" cars—the euphemism for limousines?

To a Federal official, the sweetness of life is reflected in being transported by chauffeured car "from domicile to place of employment," as one of the delicious exceptions to the "no unofficial employment purposes" strictures of the trampled-upon Administrative Expenses Act of 1946.

The Defense Department, which is permitted by the Office of Management and Budget to be by far the worst violator of the act, permits an Assistant Secretary of the Army to be carted back and forth like the Nizam of Hyderabad at an annual cost I estimate at $30,000 a year (nobody at O.M.B. or the Defense Department is going to get caught making that estimate). Such an after-tax expense would give a millionaire pause; no single act of waste more offends the ordinary man than the automotive pampering of officialdom.

And for what purpose? Valuable time is not saved, nor is safety a factor. When the Government gets out of the taxicab business, the taxpayer will save money, the nation will conserve fuel, and—most important—the debilitating lordliness will be removed from the upper echelons of bureaucracy.

Ordinarily, railings like these would go unnoticed, but under the changed circumstances of a fuel shortage, perhaps a trend could be set in motion that would help reduce the "insolence of office," and a conservation of power could be used to cut down the arrogance of power. The examples could come from the top, at all levels:

New York City's new Mayor, Abe Beame, could announce plans to travel from Gracie Mansion to City Hall every morning on the Lexington Avenue Express. The choice of subway over limousine, of course, is a publicity stunt permitted only at a time when symbolic actions to inspire public conservation are needed—but it would cost the new Mayor no time, exposure to the public twenty minutes a day might even prove beneficial, and the cost of lengthening one subway strap would be minimal.

Governor Rockefeller, in that spirit, could dispense with New York State's limousine fleet. If the Governor started using a small car and even drove it himself, the pressure on other state officials to follow suit would be irresistible.

And President Nixon, in a grand gesture of fuel frugality, could mothball Air Force One for the duration of the shortage, with the exception of overseas visits. Can you

imagine the President traveling to San Clemente this winter on a regularly-scheduled commercial jet? The Secret Service could handle it, and it would do the President and the country good. (No coach seats though—Presidents should ride first class.)

Sounds ridiculous, right? But it only sounds ridiculous because we now surround the citizens we elect with royal trappings, against all propriety and American tradition. In the fell clutch of pomp and circumstance, we turn their heads and then wonder why they lose touch with "the people."

Only if we use the fuel shortage to our advantage can we awaken the spirit of the newly-inaugurated Jefferson waiting for his place at table. The President need feel no awkwardness at "showboating," since symbolism of sacrifice at the top is expected when the reality of sacrifice at the bottom is asked.

If the Commander in Chief ostentatiously saves fuel, the message might even get through to the Pentagon. The other day, New York Times reporter John Finney noticed the arrival at the Pentagon helipad of Brig. Gen. Jessie M. Allen, the tactical air command's Deputy Chief of Staff for Plans.

General Allen had spurned the use of a waiting car at Andrews Air Force Base, preferring to use the waiting helicopter instead, which used about 30 gallons of jet fuel on the round trip to the Pentagon, saving the busy general twenty minutes each way.

The reason for the general's trip to Washington, the urgent need for the helicopter? You guessed it—he hurried here to confer about the Air Force's plans to conserve energy.

EXTENSION OF DEBT CEILING—AMENDMENT

AMENDMENT NO. 651

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

Mr. KENNEDY (for himself, Mr. CRANSTON, Mr. HART, Mr. MATHIAS, Mr. MONDALE, Mr. SCHWEIKER, Mr. HUGH SCOTT, Mr. STAFFORD, and Mr. STEVENSON) submitted an amendment to H.R. 11104, an act to extend the debt ceiling.

Mr. KENNEDY. Mr. President, I ask unanimous consent that a joint statement of the nine Senators may be printed in the RECORD. I also ask unanimous consent that the text of the amendment may be printed in the RECORD.

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

NINE SENATORS PROPOSE JOINT AMENDMENT FOR PUBLIC FINANCING OF PRESIDENTIAL PRIMARIES AND CONGRESSIONAL CAMPAIGNS

Nine Senators—five Democrats and four Republicans—announced today that they will seek to add an amendment to the Debt Ceiling Act to provide public financing of Presidential primaries and Senate and House general elections.

The amendment was introduced jointly today by Senators Cranston, Hart, Kennedy, Mathias, Mondale, Schweiker, Hugh Scott, Stafford, and Stevenson, all of whom are sponsors of major public financing proposals. The Senators issued the following joint statement:

The package combines five major bills introduced earlier this year. It contains key portions of the Kennedy-Scott bill for public financing of Senate and House general elections by extending Senator Russell Long's check-off to such races; and the Mondale-Schweiker bill for public financing of Presidential primaries through matching grants for small contributions and for strengthening the role of the dollar check-off in Presidential general elections. It also contains major concepts and key provisions set forth in the Hart bill for public financing of Congressional elections, the Stevenson-Mathias bill for public financing of general elections and the Cranston bill for comprehensive public financing of all federal elections. In a real sense, therefore, the package we are now proposing is the "highest common denominator" of the bills the nine of us have previously sponsored.

This joint amendment is a significant breakthrough. While there is widespread support for the principle of public financing of campaigns, there have been divergent views on exactly how it should be accomplished. The agreement we have reached on this amendment is a clear sign that a consensus has formed on major elements of public financing. This consensus provides a framework within which any remaining differences can be resolved.

Our political system has reached the point of no return in the area of campaign financing. The one indelible lesson of this year of Watergate is that things cannot go on as they are now in our system of private financing. Today, we have the best political system that special interest money can buy, and it is a disgrace to every basic principle on which the nation stands.

The insidious and corrupting power of private money has degraded the proud profession of politics, and no one in public life can ignore the problem. Republicans and Democrats alike, we ask the Congress to take a deep breath and act immediately to pull up the roots of Watergate, so that the 1974 Congressional races, the 1976 Presidential election, and every future Federal election can be financed free of taint.

The reform we need is obvious—it is the most comprehensive feasible use of public financing for political campaigns. Only in this way can we hope to eliminate corruption and the appearance of corruption in public life.

Nine Senators who have previously sponsored legislation in this area have now agreed on a common package of public financing reforms. We believe the package is realistically capable of enactment into law now, before this session of Congress adjourns.

The package will go first to the Senate Finance Committee for consideration as an amendment to the Debt Ceiling Act. Senator Mondale, one of the principal sponsors, serves as a member of the Finance Committee. If the Joint Amendment providing public financing for both Presidential and Congressional elections is unsuccessful on the Senate floor, an amendment will be offered covering only Presidential elections. This amendment will contain the essential provisions of the Mondale-Schweiker Presidential Campaign Financing Bill.

Introducing this proposal, we emphasize our debt to Senator Russell Long, the father of public financing. The reason the road to reform is so obvious now is that he blazed the trail with his dollar check-off in the past.

Public financing is here to stay. It is the best single investment the American taxpayer can make for the future of our country, and it is also our best hope to rebuild the people's shattered confidence in the integrity of the American system of government.

Attached is a detailed explanation of the amendment.

OUTLINE OF PUBLIC FINANCING AMENDMENT TO THE DEBT CEILING ACT, PRESIDENTIAL PRIMARIES; SENATE AND HOUSE GENERAL ELECTIONS

PURPOSE

1. The amendment builds on existing law, which provides public financing for Presidential general elections, by extending its provisions to include public financing for Presidential primaries and the Senate and House general elections.

EXISTING LAW

2. The existing law is Senator Russell Long's "Presidential Election Campaign Fund Act," known as the dollar check-off. The Act, as passed by Congress in 1971 and amended in 1973, establishes public financing for Presidential general elections. Except as provided in this summary, the provisions of the proposed amendment are essentially identical to the provisions of the dollar check-off now applicable to Presidential general elections.*

GENERAL PROVISIONS ON PUBLIC FINANCING

3. The amendment establishes a Federal Election Campaign Fund on the books of the Treasury as an expanded version of the existing Presidential Election Campaign Fund, to be funded through the dollar check-off and general appropriations acts of Congress. Payments from the Fund will be made to eligible major and minor party candidates, according to specified entitlements. Amendments to the check-off on the Debt Ceiling Act of July 1, 1973, have now eliminated the so-called "Special Accounts" in the existing Fund, and have left only a "General Account," to be allocated by formula among Presidential candidates. Under the proposed amendment, the General Account would be broadened to provide funds for Presidential primaries and for Senate and House general elections.

4. The amendment increases the amount of the dollar check-off from the existing level of $1 ($2 on a joint return) to $2 ($4 on a joint return).

5. It modifies the check-off to require taxpayers to indicate that they do *not* want their tax dollars paid into the Federal Election Campaign Fund.

6. It authorizes Congress to appropriate funds to make up deficits left in the General Account after the operation of the dollar check-off.

7. Like the dollar check-off, the program will be administered by the Comptroller General. The Comptroller General certifies a candidate's eligibility for payments, and is responsible for conducting a detailed post-election audit and obtaining repayments when necessary.

8. There are heavy criminal penalties for exceeding the spending limits, and for unlawful use of payments, false statements to the Comptroller General, and kickbacks and illegal payments.

9. The provisions of the amendment will go into effect for the 1974 Congressional elections and the 1976 Presidential primaries.

10. The cost of the public financing provisions of the amendment is estimated at $200 million in a President election year and $100 million in the off-year Congressional elections. Thus, the total cost of the program over the four-year election cycle is $300 million, yielding an average cost of about $75 million a year.

PRESIDENTIAL GENERAL ELECTIONS

11. Apart from increasing the amounts available to be checked off on tax returns, the principal change made by the amendment in the case of public financing for Presidential general elections is that the bill bars the option of private financing for such elections (except that limited private contributions may be made for the benefit of candidates through the major political parties—see paragraph 31, below). Under the existing dollar check-off, public financing is available as an alternative to private financing for such elections, and candidates

*See the "Presidential Election Campaign Fund Act," P.L. 92-178, 85 Stat. 497, 562-575 (December 10, 1971), as amended by the Debt Ceiling Act, P.L. 93-53, 87 Stat. 134, 138-139 (July 1, 1973).

electing public financing may not also use private financing, except in cases where the available public funds are insufficient to meet the candidate's full entitlement. Thus, the amendment will prevent a situation in which one candidate for President runs on public funds in the general election, while the other runs on private funds. Under existing law, the level of spending is 15c per voter, or approximately $21 million for each Presidential candidate of a major party.

PRESIDENTIAL PRIMARIES

12. Each candidate in the Presidential primaries is entitled to matching payments of public funds for the first $100 received from each individual contributor.

13. Payments begin 14 months prior to the date of the general election for President.

14. Any contribution made in connection with the candidate's campaign for nomination, in whatever year it occurs, is eligible for matching. However, all such contributions are aggregated, and no more than $100 from any contributor may be matched.

15. Candidates must accumulate $100,000 in matchable contributions before matching payments of public funds begin. To meet this requirement, a candidate may accumulate 1,000 contributions of $100 each, or 2,000 contributions of $50 each, etc. Once this threshold requirement is met, the first $100,000 in contributions will also be eligible for matching payments.

16. No candidate may receive total matching payments in excess of 5c for each person over the age of 18 in the United States (approximately $7 million). The 5c figure will be adjusted for future increases in the cost of living.

17. No candidate may spend more than $15 million in his campaign for the Presidential nomination.

18. Matching payments may be used only for legitimate campaign expenses during the pre-nomination period, and unspent payments must be returned to the Treasury.

SENATE AND HOUSE GENERAL ELECTIONS

19. The amendment provides public funds for general and special elections for the Senate and the House, but not for primaries or run-off elections.

20. As in the case of Presidential general elections, the amendment makes public financing mandatory for Senate and House elections. Thus, it bars the option of private financing by major party candidates in such elections (except that limited private contributions may be made for the benefit of candidates through the major political parties—see paragraph 31, below).

21. The amendment follows the basic formula in the existing dollar check-off for allocating public funds among candidates of major, minor and new parties. An independent candidate is entitled to public funds on the same basis as a candidate of a party.

22. A "major party" is a party that received 25% or more of the total number of popular votes received by all candidates for the office in the preceding election, or the party with the next highest share of the votes in a case where only one party qualifies as a major party on the basis of the preceding election.

23. A "minor party" is a party that received more than 5% but less than 25% of the popular vote in the preceding election. A "new party" is a party that is not a major party or a minor party.

24. In Senate elections and Statewide Congressional elections, a candidate of a major party is entitled to receive public funds in the amount of 15¢ per eligible voter or $175,000, whichever is greater. The 15c figure, which will be adjusted for future increases in the cost of living, coincides both with the entitlement of Presidential candidates in the existing dollar check-off and with the spending ceiling in the Senate-passed version of S. 372. The $175,000 figure coincides with the spending floor in S. 372 for candidates in Senate and Statewide Congressional elections.

25. In House elections in States with more than one Representative, the entitlement of a major party candidate is $90,000. This figure coincides with the spending floor in S. 372 for such candidates.

26. A candidate of a minor party is entitled to receive public funds in proportion to his share of the vote in the preceding election. A candidate of a minor party may increase his entitlement on the basis of his performance in the current election.

27. A candidate of a new party is entitled to receive public funds in proportion to his share of the popular vote in the current election, if he receives more than 5% of the vote in the election.

28. Public funds will be available for expenditures made by a candidate of a major party during the period beginning with the date on which the party nominates its candidate and ending 30 days after the election. Public funds will be available for candidates of other parties during the longest period in which they are available to a candidate of a major party.

OTHER PROVISIONS

29. As an incentive to small contributions, the amendment doubles the existing tax credit and tax deduction for such contributions. The tax credit would be increased to one-half of any contribution up to $50 ($100 on a joint return), and the tax deduction would be increased to $100 ($200 on a joint return). The cost of this provision, based on figures for the 1972 Presidential election year, is $18 million.

30. Individuals or committees not authorized by a candidate may not spend more than $1,000 during the campaign on behalf of the candidate, if he is eligible for public funds.

31. In order to assure the continuity of normal functions of political parties, to provide a role for the parties in the general election, and to preserve a limited opportunity for small private contributions, the national committees of major political parties are entitled to spend a total of 2¢ per voter of their own funds collected from private contributions on behalf of Presidential, Senate, and House general election candidates, and the state committees of such parties are entitled to spend a total of 2c per voter of such funds on behalf of Presidential, Senate, and House general election candidates within their states.

32. As noted, the public financing provisions of the amendment prohibit direct private financing of Presidential, Senate, and House general elections, although indirect and limited private financing is permitted through the major parties. To limit the undue influence of large contributions in primaries, and to limit the size of private contributions channeled through the parties in the general election, the amendment incorporates the $3,000 and other contribution limits already approved by the Senate in S. 372—see the proposed new 18 U.S.C. 615 in Section 20 of S. 372 as passed by the Senate.

AMENDMENT NO. 651

At the end of the Act, add the following new sections:

PUBLIC FINANCING OF FEDERAL ELECTIONS

SEC. 2. (a) Subtitle H of the Internal Revenue Code of 1954 is amended to read as follows:

"Subtitle H—Financing of Federal Election Campaigns

"Chapter 95. Federal Election Campaign Fund

"Chapter 96. Federal Election Campaign Fund Advisory Board

"Chapter 97. Presidential Primary Matching Payment Fund"

CHAPTER 95—Federal Election Campaign Fund

"Sec. 9001. Short title.
"Sec. 9002. Definitions.
"Sec. 9003. Conditions for eligibity for payments.
"Sec. 9004. Entitlement of eligible candidates to payments.
"Sec. 9005. Certifications by Comptroller General.
"Sec. 9006. Payments to eligible candidates.
"Sec. 9007. Contributions and expenditures by national and State committees of political parties.
"Sec. 9008. Examinations and audits; repayments.
"Sec. 9009. Information on proposed expenses.
"Sec. 9010. Reports to Congress; regulations.
"Sec. 9011. Participation by Comptroller General in judicial proceedings.
"Sec. 9012. Judicial review.
"Sec. 9013. Criminal penalties.

"SEC. 9001. Short title

"This chapter may be cited as the 'Federal Election Campaign Fund Act'.

"SEC. 9002. DEFINITIONS.

"For purposes of this chapter—

"(1) The term 'Federal office' means the office of President or Vice President of the United States, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States.

"(2) The term 'Federal election' means a general special election for Federal office.

"(3) The term 'Comptroller General' means the Comptroller General of the United States.

"(4) The term 'authorized committee' means, with respect to a candidate of a political party for Federal office, any political committee which is authorized in writing by such candidate to incur expenses to further the election of such candidate. Such authorization shall be addressed to the chairman of such political committee, and a copy of such authorization shall also be in writing and shall be addressed and filed in the same manner as the authorization.

"(5) The term 'candidate' means, with respect to any Federal election, an individual who (A) has been nominated for election to Federal office by a major party, or (B) has qualified to have his name on the election ballot in the geographical area in which the election is to be held, or (C) in the case of a Presidential election, has qualified to have his name on the election ballot (or to have the names of electors pledged to him on the election ballot) as the candidate of a political party for election to the office of President or Vice President of the United States in 10 or more States. For purposes of this chapter, an independent candidate shall be considered a candidate of a political party. For purposes of paragraphs (8) and (9) of this section and purposes of section 9004(a)(2), the term 'candidate' means, with respect to any preceding Federal election, an individual who received popular votes for Federal office in such election.

"(6) The term 'eligible candidate' means a candidate of a political party for Federal office who has met all applicable conditions for eligibility to receive payments under this chapter set forth in section 9003.

"(7) The term 'fund' means the Federal election campaign fund established by section 9006(a).

"(8) The term 'major party' means, with respect to any Federal election, (A) a political party whose candidate for Federal office in the preceding election for such office received, as the candidate of such party, 25 percent or more of the total number of popular votes received by all candidates for such office, or, (B), if only one party qualifies as a major party on such basis, the party with the next highest percent of such votes in such election.

"(9) The term 'minor party' means, with

respect to any Federal election, a political party whose candidate for Federal office in the preceding election for such office received, as the candidate of such party, 5 percent or more but less than 25 percent of the total number of popular votes received by all candidates for such office.

"(10) The term 'new party' means, with respect to any Federal election, a political party which is neither a major party nor a minor party.

"(11) The term 'political committee' means any individual, committee, association, or organization (whether or not incorporated) which accepts contributions or makes expenditures for the purpose of influencing, or attempting to influence, the nomination or election of one or more individuals to Federal office.

"(12) The term 'qualified campaign expense' means an expense—

"(A) incurred (i) by the candidate of a political party for the office of President to further his election to such office, (ii) by the candidate of a political party for the office of Vice President to further his election to such office or to further the election of the candidate of such political party for the office of President, or both, (iii) by the candidate of a political party for other Federal office to further his election to such office, or (iv) by an authorized committee of a candidate of a political party for Federal office to further the election of one or more such candidates to such office.

"(B) incurred within the expenditure report period (as defined in paragraph (13)), or incurred before the beginning of such period to the extent such expense is for property, services, or facilities used during such period, and

"(C) neither the incurring nor payment of which constitutes a violation of any law of the United States or of the State in which such expense is incurred or paid.

An expense shall be considered as incurred by a candidate or an authorized committee if it is incurred by a person authorized by such candidate or such committee, as the case may be, to incur such expense on behalf of such candidate or such committee. If an authorized committee of a candidate of a political party for Federal office also incurs expenses to further the election of one or more other individuals to Federal, State, or local elective public office, expenses incurred by such committee which are not specifically to further the election of such other individual or individuals shall be considered as incurred to further the election of such candidate for Federal office in such proportion as the Comptroller General prescribes by rules or regulations.

"(13) The term 'expenditure report period' with respect to any Federal election means—

"(A) in the case of a major party, the period beginning with the first day of September before the election, or, if earlier, with the date on which such major party nominated its candidate for election to Federal office, and ending 30 days after the date of the election; and

"(B) in the case of a party which is not a major party, the same period as the expenditure report period of the major party which has the longest expenditure report period for such election under subparagraph (A).

"SEC. 9003. CONDITIONS FOR ELIGIBILITY FOR PAYMENTS.

"(a) IN GENERAL—in order to be eligible to receive any payments under section 9006, a candidate of a political party in a Federal election shall, in writing—

"(1) agree to obtain and furnish to the Comptroller General such evidence as he may request of the qualified campaign expenses with respect to which payment is sought;

"(2) agree to keep and furnish to the Comptroller General such records, books, and other information as he may request;

"(3) agree to an audit and examination by the Comptroller General under section 9007 and to pay any amounts required to be paid under such section; and

"(4) agree to furnish statements of qualified campaign expenses and proposed qualified campaign expenses required under section 9008.

"(b) MAJOR PARTIES—In order to be eligible to receive any payments under section 9006, a candidate of a major party in a Federal election shall certify to the Comptroller General, under penalty of perjury, that—

"(1) such candidate and his authorized committees will not incur qualified campaign expenses in excess of those incurred under section 9007 and the aggregate payments to which he will be entitled under section 9004; and

"(2) no contributions to defray qualified campaign expenses (other than those received under section 9007) have been or will be accepted by such candidate or any of his authorized committees except to the extent necessary to make up any deficiency in payments received out of the fund on account of the application of section 9006 (d), and no contributions to defray expenses which would be qualified campaign expenses but for subparagraph (C) of section 9002 (12) have been or will be accepted by such candidate or any of his authorized committees.

Such certification shall be made within such time prior to the day of the Federal election as the Comptroller General shall prescribe by rules or regulations.

"(c) MINOR AND NEW PARTIES—In order to be eligible to receive any payments under section 9006, a candidate of a minor or new party in a Federal election shall certify to the Comptroller General, under penalty of perjury, that—

"(1) such candidate and his authorized committees will not incur qualified campaign expenses in excess of the aggregate payments to which the eligible candidate of a major party is entitled under section 9004; and

"(2) such candidate and his authorized committees will accept and expend or retain contributions to defray qualified campaign expenses only to the extent that the qualified campaign expenses incurred by such candidate and his authorized committees certified to under paragraph (1) exceed the aggregate payments received by such candidate out of the fund pursuant to section 9006.

Such certification shall be made within such time prior to the day of the Federal election as the Comptroller General shall prescribe by rules or regulations.

"(d) Except as provided in subsections (b) (2) and (c) (2) of this section and in section 9007 of this chapter, no candidate of a major party, minor party, or new party, or any of the authorized committees of such candidate shall accept contributions to defray qualified campaign expenses.

"SEC. 9004. ENTITLEMENT OF ELIGIBLE CANDIDATES TO PAYMENTS.

"(a) IN GENERAL—Subject to the provisions of this chapter—

"(1) An eligible candidate of a major party in a Federal election shall be entitled to payments under section 9006 equal in the aggregate to the greater of—

"(A) 15 cents multiplied by the voting age population of the geographical area in which the election for such office is held, as determined by the Secretary of Commerce under the Federal Election Campaign Act of 1971;

"(B) $175,000, if the Federal office sought is that of Senator; or

"(C) $90,000, if the office sought is that of Representative.

"(2) (A) An eligible candidate of a minor party in a Federal election shall be entitled to payments under section 9006 equal in the aggregate to an amount which bears the same ratio to the amount computed under paragraph (1) for a major party as the number of popular votes received by the candidate for such office of the minor party, as such candidate, in the preceding election for such office bears to the average number of popular votes received by the candidates for such office of the major parties in the preceding election for such office.

"(B) If the candidate of one or more political parties (not including a major party) for Federal office was a candidate for such office in the preceding election for such office and received 5 percent or more of the total number of popular votes received by all candidates for such office, such candidate, upon compliance with the provisions of section 9003(a) and (c), shall be treated as an eligible candidate entitled to payments under section 9006 in an amount computed as provided in paragraph (1) or in subparagraph (A), as the case may be, by taking into account all the popular votes received by such candidate for such office in the preceding election for such office. If an eligible candidate of a minor party is entitled to payments under this subparagraph, such entitlement shall be reduced by the amount of the entitlement allowed under subparagraph (A).

"(3) An eligible candidate of a minor party or a new party in a Federal election whose candidate in such election receives, as such candidate, 5 percent or more of the total number of popular votes cast for such office in such election shall be entitled to payments under section 9006 in an amount computed as provided in paragraph (1) or (2), as the case may be, on the basis of the numbers of popular votes cast in such election. In the case of an eligible candidate entitled to payments under paragraph (2), the amount allowable under this paragraph shall be limited to the amount, if any, by which the entitlement under this paragraph exceeds the amount of the entitlement under paragraph (2).

"(b) LIMITATIONS—The aggregate payments to which an eligible candidate of a political party shall be entitled under subsections (a) (2) and (3) with respect to a Federal election shall not exceed an amount equal to the lower of—

"(1) the amount of qualified campaign expenses incurred by such eligible candidate and his authorized committees, reduced by the amount of contributions to defray qualified campaign expenses received and expended or retained by such eligible candidate and such committees, or

"(2) the aggregate payments to which the eligible candidate of a major party is entitled under subsection (a) (1), reduced by the amount of contributions described in paragraph (1) of this subsection

"(c) RESTRICTIONS—An eligible candidate of a political party shall be entitled to payments under subsection (a) only—

"(1) to defray qualified campaign expenses incurred by such eligible candidate or his authorized committees, or

"(2) to repay loans the proceeds of which were used to defray such qualified campaign expenses, or otherwise to restore funds (other than contributions to defray qualified campaign expenses received and expended by such candidate or such committees) used to defray such qualified campaign expenses.

"(d) COST OF LIVING ADJUSTMENT—

"(1) For purposes of paragraph (2);

"(A) The term 'price index' means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

"(B) The term 'base period' means the calendar year 1973.

"(2) At the beginning of each calendar year (commencing in 1975), as there become available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Federal Election Commission and publish in the Federal Register the per centum difference between the price index for the twelve months preceding the beginning of such calendar year and the price index for the base period. Each amount determined under subsection (a)(1) shall be increased by such per centum difference. Each amount so increased shall be the amount in effect for such calendar year.

"SEC. 9005. CERTIFICATIONS BY COMPTROLLER GENERAL.

"(a) INITIAL CERTIFICATIONS.—On the basis of the evidence, books, records, and information furnished by the eligible candidates of a political party and prior to examination and audit under section 9008, the Comptroller General shall certify from time to time to the Secretary for payment to such candidates under section 9006 the payments to which such candidates are entitled under section 9004.

"(b) FINALITY OF CERTIFICATIONS AND DETERMINATIONS.—Initial certifications by the Comptroller General under subsection (a), and all determinations made by him under this chapter, shall be final and conclusive, except to the extent that they are subject to examination and audit by the Comptroller General under section 9008 and judicial review under section 9012.

"SEC. 9006. PAYMENTS TO ELIGIBLE CANDIDATES

"(a) ESTABLISHMENT OF CAMPAIGN FUND.—There is hereby established on the books of the Treasury of the United States a special fund to be known as the Federal Election Campaign Fund. The Secretary shall, as provided by appropriation Acts, transfer to the fund an amount not in excess of the sum of the amounts designated to the fund by individuals under section 6096 and such additional sums as Congress may appropriate to insure that moneys in the fund will be adequate to meet the entitlements of eligible candidates under this chapter and chapter 97 of this subtitle.

"(b) TRANSFERS TO THE GENERAL FUND.—The Secretary is authorized to transfer to the general fund of the Treasury such amounts of moneys in the fund as he determines from time to time are in excess of the amounts which eligible candidates are or will be entitled to receive.

"(c) PAYMENTS FROM THE FUND.—Upon receipt of a certification from the Comptroller General under section 9005 for payment to the eligible candidates of a political party, the Secretary shall pay to such candidates out of the fund the amount certified by the Comptroller General. Amounts paid to any such candidates shall be under the control of such candidates.

"(d) INSUFFICIENT AMOUNTS IN FUND.—If at the time of a certification by the Comptroller General under section 9005 for payment to the eligible candidates of a political party, the Secretary or his delegate determines that the moneys in the fund are not, or may not be, sufficient to satisfy the full entitlements of the eligible candidates of all political parties, he shall withhold from such payment such amount as he determines to be necessary to assure that the eligible candidates of each political party will receive their pro rata share of their full entitlement. Amounts withheld by reason of the preceding sentence shall be paid when the Secretary or his delegate determines that there are sufficient moneys in the fund to pay such amounts, or portions thereof, to all eligible candidates from whom amounts have been withheld, but, if there are not sufficient moneys in the fund to satisfy the full entitlement of the eligible candidates of all political parties, the amounts so withheld shall be paid in such manner that the eligible candidates of each political party receive their pro rata share of their full entitlement.

"SEC. 9007. CONTRIBUTIONS BY NATIONAL AND STATE COMMITTEES OF POLITICAL PARTIES.—

"(a) Notwithstanding any other provisions of this chapter, the national committee of a major party may receive contributions and make expenditures in connection with a Federal election; and a State committee of a major party, including subordinate local committees of such committee, may accept contributions and make expenditures in connection with a Federal election in such State. Contributions received by such national or state committee under this section shall be subject to the limitations provided in section 9037 of chapter 97 of this subtitle and any other limitations provided by law.

"(b) Expenditures made under this section by a national committee, or by a State committee, including subordinate local committees of such committee, shall not exceed for each national or state committee a total of 2¢ multiplied by the voting age population of the geographical area in which the committee is authorized to make expenditures, as determined by the Secretary of Commerce under the Federal Election Campaign Act of 1971.

"SEC. 9008. EXAMINATIONS AND AUDITS; REPAYMENTS.

"(a) EXAMINATIONS AND AUDITS.—After each Federal election, the Comptroller General shall conduct a thorough examination and audit of the qualified campaign expenses of the candidates of each political party for Federal office.

(b) REPAYMENTS.—

"(1) If the Comptroller General determines that any portion of the payments made to an eligible candidate of a political party under section 9006 was in excess of the aggregate payments to which the candidate was entitled under section 9004, he shall so notify such candidate, and such candidate shall pay to the Secretary an amount equal to such portion.

"(2) If the Comptroller General determines that an eligible candidate of a political party and his authorized committees incurred qualified campaign expenses in excess of the aggregate payments to which an eligible candidate of a major party was entitled under section 9004, he shall notify such candidate of the amount of such excess and such candidate shall pay to the Secretary an amount equal to such amount.

"(3) If the Commission determines that an eligible candidate of a major party or any authorized committee of such candidate accepted contributions (other than contributions under section 9007, or contributions to make up deficiencies in payments out of the fund on account of the application of section 9006 (d)) to defray qualified campaign expenses (other than qualified campaign expenses with respect to which payment is required under paragraph (2)), he shall notify such candidate of the amount of the contributions so accepted, and such candidate shall pay to the Secretary an amount equal to such amount.

"(4) If the Comptroller General determines that any amount of any payment made to an eligible candidate of a political party under section 6096 was used for any purpose other than—

"(A) to defray the qualified campaign expenses with respect to which such payment was made, or

"(B) to repay loans the proceeds of which were used or otherwise to restore funds (other than contributions to defray qualified campaign expenses which were received and expended) which were used, to defray such qualified campaign expenses,

he shall notify such candidate of the amount so used, and such candidate shall pay to the Secretary an amount equal to such amount.

"(5) No payment shall be required from an eligible candidate of a political party under this subsection to the extent that such payment, when added to other payments required from such candidate under this subsection, exceeds the amount of payments received by such candidate under section 9006.

"(c) NOTIFICATION—No notification shall be made by the Comptroller General under subsection (b) with respect to a Federal election more than three years after the day of such election.

"(d) DEPOSIT OF REPAYMENTS—All payments received by the Secretary under subsection (b) shall be deposited by him in the general fund of the Treasury.

"SEC. 9009. INFORMATION ON PROPOSED EXPENSES.

"(a) REPORTS BY CANDIDATES—A candidate of a political party for Federal office in a Federal election shall, from time to time, as the Comptroller General may require, furnish to the Comptroller General a detailed statement, in such form as the Comptroller General may prescribe, of—

"(1) the qualified campaign expenses incurred by him and his authorized committees prior to the date of such statement (whether or not evidence of such expenses has been furnished for purposes of section 9005), and

"(2) the qualified campaign expenses which he and his authorized committees propose to incur on or after the date of such statement.

The Comptroller General shall require a statement under this subsection from such candidates of each political party at least once each week during the second, third, and fourth weeks preceding the day of the Federal election and at least twice during the week preceding such day.

"(b) PUBLICATION—The Comptroller General shall, as soon as possible after he receives each statement under subsection (a), prepare and publish a summary of such statement, together with any other data or information which he deems advisable, in the Federal Register. Such summary shall not include any information which identifies any individual who made a designation under section 6096.

"SEC. 9010. REPORTS TO CONGRESS; REGULATIONS.

"(a) REPORTS—The Comptroller General shall, as soon as practicable after each Federal election, submit a full report to the Senate and House of Representatives setting forth—

"(1) the qualified campaign expenses (shown in such detail as the Comptroller General determines necessary) incurred by the candidates of each political party and their authorized committees;

"(2) the amounts certified by him under section 9005 for payment to the eligible candidates of each political party; and

"(3) the amount of payments, if any, required from such candidates under section 9007, and the reasons for each payment required.

Each report submitted pursuant to this section shall be printed as a Senate document.

"(b) REGULATIONS, ETC.—The Comptroller General is authorized to prescribe such rules and regulations, to conduct such examinations and audits (in addition to the examinations and audits required by section 9008(a)), to conduct such investigations, and to require the keeping and submission of such books, records, and information, as he deems necessary to carry out the functions and duties imposed on him by this chapter.

"SEC. 9011. PARTICIPATION BY COMPTROLLER GENERAL IN JUDICIAL PROCEEDINGS.

"(a) APPEARANCE BY COUNSEL—The Comptroller General is authorized to appear in and

defend against any action filed under section 9012, either by attorneys employed in his office or by counsel whom he may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation he may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

"(b) RECOVERY OF CERTAIN PAYMENTS—The Comptroller General is authorized through attorneys and counsel described in subsection (a) to appear in the district courts of the United States to seek recovery of any amounts determined to be payable to the Secretary as a result of examination and audit made pursuant to section 9008.

"(c) DECLARATORY AND INJUNCTIVE RELIEF.—The Comptroller General is authorized through attorneys and counsel described in subsection (a) to petition the courts of the United States for declaratory or injunctive relief concerning any civil matter covered by the provisions of this subtitle or section 6096. Upon application of the Comptroller General, an action brought pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28, United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

"(d) APPEAL—The Comptroller General is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review judgments or decrees entered with respect to actions in which he appears pursuant to the authority provided in this section.

"SEC. 9012. JUDICIAL REVIEW.

"(a) REVIEW OF CERTIFICATION, DETERMINATION, OR OTHER ACTION BY THE COMPTROLLER GENERAL.—Any certification, determination, or other action by the Comptroller General made or taken pursuant to the provisions of this chapter shall be subject to review by the United States Court of Appeals for the District of Columbia upon petition filed in such court by any interested person. Any petition filed pursuant to this section shall be filed within 30 days after the certification, determination, or other action by the Comptroller General for which review is sought.

"(b) SUITS TO IMPLEMENT CHAPTER

"(1) The Comptroller General, the national committee of any political party, and individuals eligible to vote in an election for Federal office, are authorized to institute such actions, including actions for declaratory judgment or injunctive relief, as may be appropriate to implement or construe any provision of this chapter.

"(2) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this subsection and shall exercise the same without regard to whether a person asserting rights under provisions of this subsection shall have exhausted any administrative or other remedies that may be provided at law. Such proceedings shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28, United States Code, and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

"SEC. 9013. CRIMINAL PENALTIES.

"(a) Excess Campaign Expenses—

"(1) It shall be unlawful for an eligible candidate of a political party for Federal office in a Federal election or any of his authorized committees knowingly and willfully to incur qualified campaign expenses in excess of those incurred under Section 9007 and the aggregate payments to which the eligible candidates of a major party are entitled under section 9004 with respect to such election.

"(2) Any person who violates paragraph (1) shall be fined not more than $5,000, or imprisoned not more than 1 year, or both. In the case of a violation by an authorized committee, any officer or member of such committee who knowingly and willfully consents to such violation shall be fined not more than $5,000, or imprisoned not more than 1 year, or both. "(b) Contributions—

"(1) It shall be unlawful for an eligible candidate of a major party in a Federal election or any of his authorized committees knowingly and willfully to accept any contribution to defray qualified campaign expenses (other than those received under section 9007), except to the extent necessary to make up any deficiency in payments received out of the fund on account of the application of section 9006(d), or to defray expenses which would be qualified campaign expenses but for subparagraph (C) of section 9002(12).

"(2) It shall be unlawful for an eligible candidate of a political party (other than a major party) in a Federal election or any of his authorized committees knowingly and willfully to accept and expend or retain contributions to defray qualified campaign expenses in an amount which exceeds the qualified campaign expenses incurred with respect to such election by such eligible candidate and his authorized committees.

"(3) Any person who violates paragraph (1) or (2) shall be fined not more than $5,000, or imprisoned not more than 1 year, or both. In the case of a violation by an authorized committee, any officer or member of such committee who knowingly and willfully consents to such violation shall be fined not more than $5,000, or imprisoned not more than 1 year, or both.

"(c) UNLAWFUL USE OF PAYMENTS.—

"(1) It shall be unlawful for any person who receives any payment under section 9006, or to whom any portion of any payment received under such section is transferred, knowingly and willfully to use, or authorize the use of, such payment or such portion for any purpose other than—

"(A) to defray the qualified campaign expenses with respect to which such payment was made, or

"(B) to repay loans the proceeds of which were used, or otherwise to restore funds (other than contributions to defray qualified campaign expenses which were received and expended) which were used, to defray such qualified campaign expenses.

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(d) FALSE STATEMENTS, ETC.—

"(1) It shall be unlawful for any person knowingly and willfully—

"(A) to furnish any false, fictitious, or fraudulent evidence, books, or information to the Comptroller General under this subtitle, or to include in any evidence, books, or information so furnished any misrepresentation of a material fact, or to falsify or conceal any evidence, books, or information relevant to a certification by the Comptroller General or an examination and audit by the Comptroller General under this subtitle; or

"(B) to fail to furnish to the Comptroller General any records, books, or information requested by him for purposes of this chapter.

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(e) KICKBACKS AND ILLEGAL PAYMENTS—

"(1) It shall be unlawful for any person knowingly and willfully to give or accept any kickback or any illegal payment in connection with any qualified campaign expense of an eligible candidate or his authorized committees.

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(3) In addition to the penalty provided by paragraph (2), any person who accepts any kickback or illegal payment in connection with any qualified campaign expense of an eligible candidate or his authorized committees shall pay to the Secretary, for deposit in the general fund of the Treasury, an amount equal to 125 percent of the kickback or payment received.

"(f) UNAUTHORIZED EXPENDITURES

"(1) Except as provided in paragraph (2), it shall be unlawful for any political committee which is not an authorized committee with respect to an eligible candidate of a political party for Federal office in a Federal election knowingly and willfully to incur expenditures to further the election of such candidate, which would constitute qualified campaign expenses if incurred by an authorized committee of such candidate, in an aggregate amount exceeding $1,000.

"(2) This subsection shall not apply to (A) expenditures by a broadcaster regulated by the Federal Communications Commission, or by a periodical publication, in reporting the news or in taking editorial positions, or (B) expenditures by any organization described in section 501(c), which is exempt from tax under section 501(a) in communicating to its members the views of the organization.

"(3) Any political committee which violates paragraph (1) shall be fined not more than $5,000, and any officer or member of such committee who knowingly and willfully consents to such violation and any other individual who knowingly and willfully violates paragraph (1) shall be fined not more than $5,000 or imprisoned not more than 1 year or both.

"(g) UNAUTHORIZED DISCLOSURE OF INFORMATION.—

"(1) It shall be unlawful for any individual to disclose any information obtained under the provisions of this chapter except as may be required by law.

"(2) Any person who violates paragraph (1) shall be fined not more than $5,000, or imprisoned not more than one year, or both.

"Chapter 96—FEDERAL ELECTION CAMPAIGN FUND ADVISORY BOARD

"SEC. 9021. ESTABLISHMENT OF ADVISORY BOARD.

"(a) Establishment of Board.—There is hereby established an advisory board to be known as the Federal Election Campaign Fund Advisory Board (hereinafter in this section referred to as the 'Board'). It shall be the duty and function of the Board to counsel and assist the Comptroller General of the United States in the performance of the duties and functions imposed on him under the Federal Election Campaign Fund Act.

"(b) Composition of Board.—The Board shall be composed of the following members:

"(1) the majority leader and minority leader of the Senate and the Speaker and minority leaders of the House of Representatives, who shall serve ex officio;

"(2) two members representing each political party which is a major party (as defined in section 9002 (8)), which members shall be appointed by the Comptroller General from recommendations submitted by such political party; and

"(3) three members representing the general public, which members shall be selected by the members described in paragraphs (1) and (2).

The terms of the first members of the Board described in paragraphs (2) and (3) shall expire on the sixtieth day after the date of

the first Presidential election following January 1, 1976, and the terms of subsequent members described in paragraphs (2) and (3) shall begin on the sixty-first day after the date of a Presidential election and expire on the sixtieth day following the date of the subsequent Presidential election. The Board shall elect a Chairman from its members.

"(c) Compensation.—Members of the Board (other than members described in subsection (b)(1)) shall receive compensation at the rate of $75 a day for each day they are engaged in performing duties and functions as such members, including traveltime, and, while away from their homes or regular places of business, shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"(d) STATUS.—Service by an individual as a member of the Board shall not, for purposes of any other law of the United States, be considered as service as an officer or employee of the United States."

"Chapter 97—PRESIDENTIAL PRIMARY MATCHING PAYMENT FUND

"Sec. 9031. Short title.
"Sec. 9032. Definitions.
"Sec. 9033. Creation of fund.
"Sec. 9034. Entitlements.
"Sec. 9035. Limitations.
"Sec. 9036. Examinations and audits; repayments.
"Sec. 9037. Limitations on contributions by individuals and on expenditures by certain other persons.
"Sec. 9038. Criminal penalties.

"SEC. 9031. SHORT TITLE.

"This chapter may be cited as the 'Presidential Primary Matching Payment Fund Act'.

"SEC. 9032. DEFINITIONS.

"For purposes of this chapter—

"(1) The term 'qualified campaign expense' means an expense—

"(A) incurred by a candidate for nomination for election to the office of President to further his nomination for such office, or by an authorized committee of such candidate to further his nomination to such office,

"(B) incurred within the matching payment period (as defined in paragraph (2)), or incurred before the beginning of such period to the extent such expense is for property, services, or facilities used during such period, and

"(C) neither the incurring nor payment of which constitutes a violation of any law of the United States or the State in which such exercise is incurred or paid. An expense shall be considered as incurred by a candidate or an authorized committee if it is incurred by a person authorized by such candidate or such committee, as the case may be, to incur such expense on behalf of such candidate or such committee.

"(2) The term 'matching payment period' means the period beginning 14 months prior to the date of the general election for President and ending on the date on which the national convention of the party for whose nomination the candidate is campaigning nominates its candidate for President.

"(3) The term 'authorized committee' means, with respect to a candidate for nomination for election to the office of President, any political committee which is authorized in writing by such candidate to incur expenses to further the election of such candidate. Such authorization shall be addressed to the chairman of such political committee, and a copy of such authorization shall be filed by such candidate with the Comptroller General. Any withdrawal of any authorization shall also be in writing and shall be addressed and filed in the same manner as the authorization.

"SEC. 9033. CREATION OF FUND.

"(a) ESTABLISHMENT OF CAMPAIGN FUND.—There is hereby established on the books of the Treasury of the United States, as part of the Federal Election Campaign Fund established by Chapter 95 of this subtitle, a special account to be known as the 'Presidential Primary Matching Payment Fund' (hereinafter referred to in this chapter as the 'fund'). The Secretary shall transfer to the fund such amounts in the Federal Election Campaign Fund as may be necessary to meet the entitlements of candidates under this chapter.

"(b) REPORT TO CONGRESS.—The Secretary of the Treasury shall be the trustee of the fund and shall report to the Congress not later than March 1 of each year on the operation and status of the fund and of the Federal Election Campaign Fund during the preceding year.

"SEC. 9034. ENTITLEMENTS.

"(a) MATCHING PAYMENT FOR CONTRIBUTIONS OF $100 OR LESS.—Any candidate for nomination for President, or his authorized committee, is entitled, upon certification by the Comptroller General, to payments from the fund for qualified campaign expenses beginning 14 months prior to the date of the general election for President in an amount equal to the amount of each contribution received by such candidate or committee (disregarding any amount of contributions from any person to the extent that such amount exceeds $100).

"(b) VOUCHER.—To be eligible for the entitlement established by subsection (a), such candidate shall submit to the Comptroller General, at such times and in such form and manner as the Comptroller General may require, a matching payment entitlement voucher. Such voucher shall include the full name of any person making a contribution together with the date, the exact amount of the contribution, the complete address of the contributor and the occupation and principal place of business, if any, for contributors of more than $100.

"(c) DETERMINATION AND CERTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall—

"(1) make a determination, according to such procedures as he may establish, as to whether each contribution enumerated on such voucher is consistent with the provisions of section 9034 (a) and 9035 of this chapter; and

"(2) certify for payment by the Secretary to such candidate an amount equal to the sum of the contributions enumerated on such voucher which meet the requirements of subsection (c)(1).

"(c) PAYMENT BY SECRETARY.—Promptly upon certification, the Secretary shall make a payment from the fund to such candidate in the amount certified by the Comptroller General.

"(e) AUTHORIZED COMMITTEE.—For the purposes of this section, the authorized committee of any candidate for nomination for President may submit an entitlement voucher pursuant to subsection (b) in behalf of such candidate, listing contributions received by such committee eligible for payment under this chapter.

"SEC. 9035. LIMITATIONS.

"(a) CERTIFICATION BY THE COMPTROLLER GENERAL.—The Comptroller General shall not certify pursuant to section 9034 (c) (2) any portion of any contribution made by any person to a candidate or committee entitled to payments under this chapter—

"(1) which, when added to other contributions made by such person to such candidate or committee in connection with the nomination of such candidate for President, exceeds $100; or

"(2) if payment from the fund of an amount equal to the amount of such contribution, or portion thereof, when added to any other payment from the fund to such candidate or committee during the matching payment period, is in excess of 5 cents multiplied by the voting age population of the United States (as certified to by the Comptroller General by the Secretary of Commerce pursuant to section 104 (a) (5) of the Federal Election Campaign Act of 1971).

"(b) PAYMENT BY THE SECRETARY.—The Secretary shall make no payment to a candidate or committee entitled to payments from the fund—

"(1) until the Comptroller General has certified contributions submitted by such candidate or committee, pursuant to section 9034 (b), in an aggregate amount of $100,000; and

"(2) earlier than 14 months prior to the date of the general election for President.

"(c) QUALIFIED CAMPAIGN EXPENSES.—A candidate shall be eligible for payments from the fund only—

"(1) to defray qualified campaign expenses incurred by such candidate or his authorized committee, or

"(2) to repay loans the proceeds of which were used to defray such qualified campaign expenses, or otherwise to restore funds (other than contributions to defray qualified campaign expenses received and expended by such candidate or committee) used to defray such qualified campaign expenses.

"(d) RETURN OF UNUSED FUNDS.—Amounts received by a candidate from the fund may be retained for the liquidation of all obligations to pay qualified campaign expenses incurred during the matching payment period for a period not exceeding 6 months after the end of the matching payment period; and all obligations having been liquidated, that portion of any unexpended balance remaining in the candidate's accounts which bears the same ratio to the total unexpended balance as the total amount received from the fund bears to the total of all deposits made into the candidate's accounts shall be promptly repaid to the fund.

"(e) RULES AND PROCEDURES.—The Comptroller General shall make such rules and establish such procedures as may be necessary to carry out the purposes of this chapter. All such rules and procedures shall be published in the Federal Register not less than 30 days prior to their effective date, and shall be available to the general public.

The Comptroller General shall publish and make available forms for the making of such reports and statements as may be required, and a manual setting forth uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter.

"SEC. 9036. EXAMINATION AND AUDITS; REPAYMENTS.

"(a) EXAMINATIONS AND AUDITS.—After each matching payment period, the Comptroller General shall conduct a thorough examination and audit of the qualified campaign expenses of the candidates receiving payments from the fund.

"(b) REPAYMENTS.—

"(1) If the Comptroller General determines that any portion of the payments made to a candidate from the fund was in excess of the aggregate payments to which such candidate was entitled under sections 9034 and 9035, he shall so notify such candidate, and such candidate shall pay to the Secretary an amount equal to such portion.

"(2) If the Comptroller General determines that any amount of any payment made to a candidate from the fund was used for any purpose other than—

"(A) to defray the qualified campaign expenses with respect to which such payment was made, or

"(B) to repay loans the proceeds of which were used or otherwise to restore funds (other than contributions to defray qualified campaign expenses which were received and expended) which were used, to defray such qualified campaign expenses, he shall notify such candidate of the amount so used, and

such candidate shall pay to the Secretary an amount equal to such amount.

"(c) NOTIFICATION.—No notification shall be made by the Comptroller General under subsection (b) with respect to a matching payment period more than 3 years after the end of such period.

"(d) DEPOSIT OF REPAYMENTS.—All payments received by the Secretary under subsection (b) shall be deposited by him in the general fund of the Treasury.

"SEC. 9037. LIMITATIONS ON CONTRIBUTIONS BY INDIVIDUALS AND ON EXPENDITURES BY CERTAIN OTHER PERSONS.

"(a) No individual shall make any contributions during any calendar year to or for the benefit of any candidate which is in excess of the amount which, when added to the total amount of all other contributions made by that individual during that calendar year to or for the benefit of a particular candidate, would equal $3,000.

"(b) No individual shall during any calendar year make, and no person shall accept, (1) any contribution to a political committee, or (2) any contribution to or for the benefit of any candidate, which, when added to all the other contributions enumerated in (1) and (2) of this subsection which were made in that calendar year, exceeds $25,000.

"(c) (1) No person (other than an individual) shall make any expenditure during any calendar year for or on behalf of a particular candidate which is in excess of the amount which, when added to the total amount of all other expenditures made by that person for or on behalf of that candidate during that calendar year, would equal $3,000.

"(2) This subsection shall not apply to the central campaign committee or the State campaign committee of a candidate, to the national committee of a political party, to the State committee of a major political party, or to the Republican or Democratic Senatorial Campaign Committee, the Democratic National Congressional Committee, or the National Republican Congressional Committee.

"(d) The limitations imposed by subsection (a) (1) and by subsection (c) shall apply separately to each primary, primary runoff, general, and special election in which a candidate participates.

"(e) (1) Any contribution made in connection with a campaign in a year other than the calendar year in which the election to which that campaign relates is held shall, for purposes of this section, be taken into consideration and counted toward the limitations imposed by this section for the calendar year in which that election is held.

"(2) Contributions made to or for the benefit of a candidate nominated by a political party for election to the office of Vice President shall be held and considered, for purposes of this section, to have been made to or for the benefit of the candidate nominated by that party for election to the office of President.

"(f) For purposes of this section—(1) the term 'political party' means a political party which in the next preceding presidential election, nominated candidates for election to the offices of President and Vice President, and the electors of which party received in such election, in any or all of the States, an aggregate number of votes equal in number to at least 10 per centum of the total number of votes cast throughout the United States for all electors for candidates for President and Vice President in such election; and

"(2) The definitions in section 591 of title 18 shall be applicable.

"(g) For purposes of the limitations contained in this section, all contributions made by any person directly or indirectly on behalf of a particular candidate, including contributions which are in any way earmarked, encumbered, or otherwise directed through an intermediary or conduit to that candidate, shall be treated as contributions from that person to that candidate.

"(h) Violation of the provisions of this section is punishable by a fine of not to exceed $25,000, imprisonment for not to exceed five years, or both.

"SEC. 9038. CRIMINAL PENALTIES.

"(a) EXCESS CAMPAIGN EXPENSES.—

"(1) It shall be unlawful for any candidate for nomination for election to the office of President or any of his authorized committees knowingly and willfully to incur any expenses in connection with such nomination in excess in the aggregate of $15,000,000.

"(2) Any person who violates paragraph (1) shall be fined not more than $25,000, or imprisoned not more than 5 years, or both. In the case of a violation by an authorized committee, any officer or member of such committee who knowingly and willfully consents to such violation shall be fined not more than $25,000, or imprisoned not more than 5 years, or both.

"(3) At the beginning of each calendar year (commencing in 1975), as there become available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Comptroller General and publish in the Federal Register the percent difference between the price index for the 12 months preceding the beginning of such calendar year and the price index for the base period. The limit on campaign expenses in paragraph (1) shall be increased by such percent difference. The limit so increased shall be the amount in effect for such calendar year.

"(A) The term 'price index' means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

"(B) The term 'base period' means the calendar year 1973.

"(b) UNLAWFUL USE OF PAYMENTS.—

"(1) It shall be unlawful for any person who receives any payment from the fund, or to whom any portion of any payment received from the fund is transferred, knowingly and willfully to use, or authorize the use of, such payment or such portion for any purpose other than—

"(A) to defray the qualified campaign expenses with respect to which such payment was made, or

"(B) to repay loans the proceeds of which were used, or otherwise to restore funds (other than contributions to defray qualified campaign expenses which were received and expended) which were used, to defray such qualified campaign expenses.

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(c) FALSE STATEMENTS, ETC.—

"(1) It shall be unlawful for any person knowingly and willfully—

"(A) to furnish any false, fictitious, or fraudulent evidence, books, or information to the Comptroller General under this subtitle or to include in any evidence, books, or information so furnished any misrepresentation of a material fact, or to falsify or conceal any evidence, books, or information relevant to a certification by the Comptroller General or an examination and audit by the Comptroller General under this chapter; or

"(B) to fail to furnish to the Comptroller General any records, books, or information requested by him for purposes of this chapter.

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(d) KICKBACKS AND ILLEGAL PAYMENTS.—

"(1) It shall be unlawful for any person knowingly and willfully to give or accept any kickback or any illegal payment in connection with any qualified campaign expense of a candidate receiving payment from the fund or his authorized committees.

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000, or imprisoned not more than five years, or both.

"(3) In addition to the penalty provided by paragraph (2), any person who accepts any kickback or illegal payment in connection with any qualified campaign expense of a candidate or his authorized committees shall pay to the Secretary, for deposit in the general fund of the Treasury, an amount equal to 125 percent of the kickback or payment received.

(b) The amendments made by subsection (a) of this section shall take effect on January 1, 1974.

SEC. 3. DESIGNATION OF INCOME TAX PAYMENTS TO FEDERAL ELECTION CAMPAIGN FUND.

(a) Effective with respect to taxable years ending on or after December 31, 1973, section 6096(a) (relating to designation of income tax payments to the Federal Election Campaign Fund) is amended to read as follows:

"SEC. 6096. DESIGNATION BY INDIVIDUAL.

"(a) IN GENERAL.—For every individual (other than a nonresident alien) whose income tax liability for the taxable year is $2 or more, the amount of $2 shall be paid over to the Federal Election Campaign Fund in accordance with the provisions of section 9006(a), unless the individual designates that $2 shall not be paid over to the Fund. In the case of a joint return of husband and wife having an income tax liability of $4 or more, the amount of $4 shall be paid to the Fund, unless they designate that $4 shall not be paid over to the Fund.

(b) The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1972. Any designation made under section 6096 of the Internal Revenue Code of 1954 (as in effect for taxable years beginning before January 1, 1973) for the account of the candidates of any specified political party shall, for purposes of section 9006(a) of such Code, as amended, be treated solely as a designation to the Federal Election Campaign Fund.

SEC. 4. INCREASE IN TAX CREDIT AND TAX DEDUCTION FOR POLITICAL CONTRIBUTIONS.

"(a) Section 41(b)(1) of the Internal Revenue Code of 1954 (relating to maximum credit for contributions to candidates for public office) is amended to read as follows:

"(1) MAXIMUM CREDIT.—The credit allowed by subsection (a) for a taxable year shall not exceed $25 ($50 in the case of a joint return under section 6013)."

(b) Section 218(b)(1) of the Internal Revenue Code of 1954 (relating to amount of deduction for contributions to candidates for public office) is amended to read as follows:

"(1) AMOUNT.—The deduction under subsection (a) shall not exceed $100 ($200 in the case of a joint return under section 6013)."

(c) The amendments made by subsections (a) and (b) shall apply with respect to any political contribution the payment of which is made after December 31, 1973.

ADDITIONAL STATEMENTS

CBS MORNING NEWS

Mr. ROBERT C. BYRD. Mr. President, on Monday, November 5, 1973, I was interviewed by Barry Serafin on the CBS Morning News. I ask unanimous consent that the transcript of that interview be printed in the RECORD.

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

QUINN. Senator Robert Byrd, a Democrat from West Virginia, is the Senate Democratic whip, and a member of the Senate Rules Committee which is holding the first Congressional hearings in history on the selection of a Vice President.

Senator Byrd is particularly concerned with Vice Presidential-designate Gerald Ford's attitude toward executive privilege. He's with Barry Serafin this morning in our Washington studio to talk about that and other subjects. Good morning, gentlemen.

BARRY SERAFIN. Morning, Sally. Senator Byrd, Gerald Ford came into the hearings Friday, described as the most investigated individual for such an office in this country's history. And yet most of the questions didn't seem to be based on all that FBI raw data we were hearing about. Was there nothing in the FBI file or were other questions just simply more important?

Senator ROBERT BYRD. Most of the data had been checked out pretty thoroughly and the questions which remained, as you've indicated, went mostly to his philosophy with respect to executive privilege and so on. He has been very thoroughly investigated. And I think this is probably going to be the secret as to why the hearings will not last very long: the investigation preceding the hearings was very thorough—and I think that the nomination will proceed without undue haste, but certainly without undue delay—and as soon as the members of the committee have been satisfied with respect to the answers to their questions I would say that the nomination will move to the floor.

SERAFIN. How long do you think the hearings will go on?

BYRD. I don't think the hearings will go on beyond this week, unless something unforeseen develops.

SERAFIN. Where do you think the questioning will focus today?

BYRD. It's hard to say. Each member has his own area of questioning.

SERAFIN. What's on your mind today?

BYRD. I will ask Mr. Ford some questions about his position vis-a-vis foreign relations, that is, if other members preceding me on the committee don't get into that area first. I will also ask him his feelings with respect to the FBI and the use of the FBI, and so on.

SERAFIN. I gather you don't anticipate any real obstacles to the Ford confirmation.

BYRD. I don't foresee any at the present time. I should think that the confirmation should be through the Senate—I hope it will be—provided there's no unforeseen development, by Thanksgiving.

SERAFIN. Senator, at first there was some speculation that the Ford confirmation might be held up for a while, pending Watergate developments and so on, now there's been some talk lately, that maybe the confirmation will be speeded up, if anything, as a first step toward possible impeachment of the President so that a successor will be in place. Is there anything to that? Is there that kind of a feeling on the Hill?

BYRD. In my judgment there should not be. There may have been some expressions to that end. I think that the Vice Presidential nomination should be confirmed, provided there's nothing that would militate against confirmation, simply because we need a Vice President. And it's our responsibility, under the Constitution, to act.

SERAFIN. What about the question of impeachment, Senator? What do you think the chances are that Mr. Nixon will be impeached?

BYRD. As of now—of course, this is a matter for the House of Representatives to decide. As of now, I don't think impeachment is confronting the House and Senate—certainly not the Senate, immediately. I would think that perhaps resignation may, if anything, be more probable than impeachment—the way it looks at this time.

SERAFIN. Well, a number of the President's former supporters, as well as some of those who've not supported him, are now calling on him to resign. Do you join in that?

BYRD. I do not. I think that this is a matter that the President's political friends, his advisers in his own party, and public opinion will ultimately decide.

SERAFIN. So you don't share the feeling that some of these people have expressed that he has lost his moral authority or his ability to govern.

BYRD. I do share the opinion that he has lost a great deal of his ability to govern. I feel sorry for the President. And I think he has done a lot of good for the country: he got us out of Vietnam; I personally liked his appointments to the Supreme Court; and I think he has done well in foreign affairs. But there's no question but that public confidence has been eroded. I would like to see it all go away. I'd like to see the President be able to do something to retrieve this confidence. But based on his past performance with respect to the Watergate situation and related affairs, he has not been able to do this—and it seems that every day and every new statement have eroded confidence further.

SERAFIN. What about this latest matter of the missing Watergate tapes? The White House has now offered several reasons why those tapes are missing. How bad is this for the President?

BYRD. Coming on the heels of the firing of Mr. Cox and the apparent violation of a court order during that three-day period, concerning which the President later reversed himself and said that he would turn over the tapes—coming on the heels of those developments, plus all of the other developments over the past several months extending beyond a year, the missing tapes have hurt the President badly. The explanation for the missing tapes could be very plausible; but coming on the heels of all of these other developments, they have a very hollow ring, and it has gotten to the point where the people can't recognize the truth when they see it.

SERAFIN. Senator, you're still holding out for the idea of an independent special Watergate prosecutor, appointed by the court. How viable is that possibility now that Mr. Nixon has appointed his own prosecutor? And what's going to happen to the Saxbe nomination for attorney general as a result of all this?

BYRD. To begin with, I think the suggestion with respect to a special prosecutor appointed by the District Court of the District of Columbia is a viable suggestion and the appropriate one. I think that the American people will never be fully satisfied with respect to the results of any investigation unless they're convinced that that investigation was an independent and fair and objective one. After all, the purpose of the investigation would be to determine not only the guilt but also the innocence of persons who have been charged. And if the people are going to believe that the personages are innocent, they're going to have to feel that the investigation was an independent one. There may be some constitutional questions involved but I think when we get to those constitutional questions, I think that they'll come down on the side of the constitutionality of the appropriateness of the action by Congress, if it is able to enact this legislation, to vest the authority for the appointment of the special prosecutor in the court.

As to Mr. Saxbe's nomination, he will be asked some very, very hard questions regarding the investigation, regarding his position vis-a-vis a special prosecutor. And there's also, I think, a fairly serious constitutional question involving Mr. Saxbe's nomination, in view of the fact that he is a member of the Senate and that during the time for which he was elected, the emoluments of the office of attorney general have been increased. And under the Constitution, Article I, Section VI, Clause II, no Senator or Representative shall be appointed to any office, any civil office under the authority of the United States if the emoluments of that office have been increased during his term.

SERAFIN. We have just a couple of seconds left—are you saying he—there's a good chance he may not be confirmed as attorney general?

BYRD. I'm not saying that, but I'm saying there is a constitutional question. There's precedent for getting around this by legislation—in the case of Secretary Knox in 1909—but the strict constructionists in the House of Representatives, in those days, said that the constitutional provision militating against such appointment could not be gotten around by a mere majority of both Houses.

SERAFIN. Senator Byrd, thank you very much for being with us this morning.

BYRD. Thank you.

PRESIDENTIAL TELEVISION

Mr. HUGH SCOTT. Mr. President, I call to the attention of the Senate the following commentary by Dr. Stephen Hess who reviews the book, "Presidential Television." While I do not necessarily subscribe to all of Dr. Hess's proposals, I believe his article is a thoughtful discussion about a subject that is very much of concern to the Nation.

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

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

PRESIDENTIAL TELEVISION

(By Stephen Hess)

Since the opening of the political television era, circa 1952, a popular belief has been that "media manipulation" threatens to package and sell candidates and concepts as effectively as breakfast foods. (Fred Dutton claims we are in the midst of a "neo-Orwellian revolution.") Another popular belief, growing out of our national disillusion with the Vietnam war, has been that the presidency is too powerful. (Barbara Tuchman proposes replacing a single president with a rotating committee.)

Now these two ideas have been joined in a Twentieth Century Fund Report, *Presidential Television*, by Newton N. Minow, John Bartlow Martin and Lee M. Mitchell. The authors contend that television "is the most effective communicator of ideas and images, with the greatest potential for influencing public opinion, that political man has yet developed" and that "presidential television (i.e., a president's use of it) threatens to tilt the constitutional balance of power in favor of the president."

The trouble with the All-Powerful-Television and All-Powerful-Presidency notions is that they fit some of the facts, but not quite all of them. The presidency is not simply too powerful; it is too powerful in certain areas and situations, such as making war. It is not too powerful in the implementation of domestic policy, for example. Television is not too powerful as a propaganda vehicle, given its present structure; it is simply viewed by a great many people, which is not necessarily the same thing.

Critics of television, from Agnew to Minow, have tended to measure "power" in terms of numbers, leaving the question of "impact"—or the ability to change political behavior—largely unaddressed. Even in this study, which gives us the best summaries to date

on presidents' use of television and the laws affecting political usage, there is no new data on its impact in presidential politics, nor, most regrettably, is there any review of the scholarly work in the field, such as the measurements of television coverage during the 1972 presidential election by Syracuse University professors McClure and Patterson, which conclude that "television news could not have contributed to voter change on most campaign issues." Rather, Minow-Martin-Mitchell make their case by quoting from the many prominent people who agree with them. Yet the views of Fred Friendly, knowledgeable as he is, are not "proof."

A more balanced assessment of what has been the effect of television on presidential politics would have to deal frontally with such questions as these:

Why is it that television has not produced a different type of presidential candidate than we had before? The authors write that "citizens in the television age expect their leaders to be reasonably pleasing to the eye and to be capable of a confidence-inspiring television presentation." Why then have our most recent presidents looked and sounded like Lyndon Baines Johnson and Richard Milhous Nixon? The authors cite John Lindsay as a politician with "a favorable television image." Why then, despite heavy emphasis on television in the 1972 Florida and Wisconsin primaries, was Lindsay so ignominiously defeated?

Why has television failed to cause the nomination of a single presidential contender or the election of a single president? (Kennedy in 1960, some feel, was elected as a result of the "Great Debates," but the authors certainly do not believe that debates are threatening or not in the public interest.)

If a president's control of the medium is so overwhelming, why has dissatisfaction with the presidency grown—not lessened—during the television era? Why, for example, have the Vietnam policies not received greater support, given presidents' obvious access to air time?

There are many explanations, none of them dealt with in this study. The argument, for instance, that candidates for president can be sold like breakfast foods is based on the assumptions that "media manipulators" know how to sell candidates, that voters are receptive and that candidates are willing to be sold. All are dubious propositions at best.

Among the reasons that might be given for the limited impact of television on political behavior is that it is primarily an entertainment vehicle, presenting relatively little news (in some years news constituted only two per cent of total network prime-time programing), most of it as a series of 100-second items. Also, that television, as a government-regulated industry, tends to present the news in a blander fashion than other media; that as our most mass medium it may aim for a common denominator that is pretty common indeed; and that television as a visual medium is predisposed toward news that focuses on actions rather than ideas. How do you present a moving picture of the "gold drain" or "impoundment"?

This is not to say that television is without impact. Far from it. But the type of impact that translates into political action, I suspect, only comes from very sustained exposure, as with the Nixon trip to China or the Ervin committee hearings on Watergate. And this sort of presentation is the exception, not the rule.

Even though the authors have overstated their case, I believe they have proposed four quite reasonable and constructive reforms.

Four times a year "Congress . . . should permit television cameras on the floor of the House and Senate for the broadcast of specially scheduled prime-timed evening sessions at which the most important matters before it each term are discussed, debated, and voted on."

"The national committee of the opposition party should be given by law an automatic right of response to any presidential radio or television appearance made during the ten months preceding a presidential election or within the ninety days preceding a congressional election in nonpresidential years."

There should be national debates "between spokesmen for the two major parties with agreed topics and formats quarterly each year."

Free prime time—six 30-minute periods—should be given to major party presidential candidates during the month before the election. (Personally I prefer public campaign financing, which would allow the contenders to choose how they wish to reach the voters, but I would support a "services package," including free television time, as a fallback position.)

Despite the authors' claims for their proposals, they are really very modest and attainable. Thus it is not necessary to share fully their concerns over presidential television in order to agree with their conclusions.

POSTAL RATE INCREASES

Mr. BIDEN. Mr. President, the U.S. Postal Service has requested an across-the-board increase in postal rates which would boost the price of first class from 8 to 10 cents and air mail from 11 to 13 cents. These increases, including rises of between 6 and 39 percent for other classes of mail, will go into effect temporarily on January 5 until the Postal Rate Commission, which regulates mail prices, makes a decision.

Postmaster General Elmer T. Klassen, who announced the increases, cited "severe inflationary pressures" as a major reason for the rate hikes. He stated that the new structure would bring in about $2.1 billion additional revenue annually.

I realize that in this time of spiraling inflation the cost of just about everything has gone up tremendously. However, it is very hard for people to justify rate increases at a time when many perceive our mail service to be deteriorating. Although it may be very difficult to iron out the many problems which face the Postal Service, steps must be taken to insure our citizens a more efficient mail operation.

On July 10, 1973, I introduced S. 2134, a bill to provide for annual authorization of appropriations to the U.S. Postal Service. It has been cosponsored by 10 of my colleagues, and was overwhelmingly passed in the House of Representatives earlier this year

At present the authorization for the Postal Service is permanent. This bill would compel postal officials to come before Congress annually to detail and justify their budget requests. It would also afford an excellent opportunity for them to publicly explain the reasons for erratic service, and how it relates to their own methods of management.

As it stands now, the Postal Service is an independent entity in the executive branch, yet its top management operates independently on the Chief Executive. Only the Governors of the Postal Service can appoint or remove the Postmaster General. Its management is directly accountable to no elected official in the entire Federal Government. This bill, therefore, insures that Congress will have specific oversight over the Postal Service, without hampering its day-to-day operations. It provides for specific periodic examination rather than the present permanent authorization, thus compelling Congress to exercise its legislative prerogatives with more authority.

I strongly urge quick and positive action on this important measure.

Mr. President, I ask unanimous consent that an article from the Washington Post of September 25, 1973, identifying these new rate increases, and an editorial which appeared in the Wilmington Evening Journal on September 26, 1973, be printed in the RECORD.

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

POSTAL RATE INCREASE OF 2 CENTS PROPOSED

(By Claudia Levy)

The U.S. Postal Service will ask today for an across-the-board increase in postal rates that would boost the price of first-class stamps from 8 to 10 cents and air mail stamps from 11 to 13 cents.

The increases, including rises of between 6 and 38.6 per cent for other classes of mail, would go into effect temporarily Jan. 5 until the Postal Rate Commission, which regulates mail prices, makes a decision. The new rates would then have to be approved by the board of governors of the Postal Service.

The price increases' first challenge, if any, would have to be made by the Cost of Living Council, which has authority to approve or disapprove them during the next 30 days, a spokeswoman said.

Postmaster General Elmer T. Klassen, in announcing the rate proposals at a National Press Club luncheon yesterday, said his quasi-governmental corporation is under "severe inflationary pressures."

In another announcement, Klassen pledged that the Postal Service will strive for overnight delivery of at least 95 per cent of the air mail destined for major cities within a radius of 600 miles, as well as overnight air mail service between some 500 specific major cities regardless of distance.

"All other air mail destined for anywhere in the continental United States will be delivered within 48 hours after we get it," he said.

"This marks the first time that mail users have been told publicly and specifically in what time frame a letter or parcel should be delivered," he said. "We have had internal standards for years but today we are going public."

Klassen said the new rate structure would bring in some $2.1 billion additionally each year and added that the "cost-price squeeze has affected us just as much as it has affected the entire economy."

The Postal Service's last rate boost, raising the price of a postage stamp from 6 to 8 cents, was made in 1971 and was finally approved by the Postal Rate Commission in June, 1972.

Under the latest proposal, new rates for most second through fourth-class mail would be spread out over the remainder of a 5 to 10-year phasing program that Congress approved two years ago.

As outlined yesterday, the Postal Service plans to:

Raise by 38.6 per cent the cost of mailing second-class material, primarily magazines and newspapers.

Raise the third-class bulk mail rate, used for much direct mail advertising, as well as other circulars, catalogs and small parcels

under 16 ounces, from 4.8 to 6.1 cents for the first 250,000 pieces mailed in a year and from 5 to 6.3 cents for all mail above that volume.

Raise the price of a postcard from 6 to 8 cents and air mail cards from 9 to 11 cents.

Increase fourth-class parcel post, used principally for merchandise, to 6 cents a pound for packages 16 ounces and over. Special rate fourth-class mail would go up from 21 to 30 cents for the first pound, with 30 cents remaining in effect for each additional pound.

Publishers fought the service's last rate—amounting to about 125 per cent for magazines and other publications over five years—on the grounds that it would drive many magazines out of business.

"I don't see why any enterprise should expect some sort of subsidy," Klassen said yesterday in answer to a question. ". . . I realize there's great sentiment about (the magazine rate issue. But the only way to look at this is that we're running the Postal Service like a business organization."

POSTAGE: HALF WAY TO 1984

Sen. Gale McGee, the Wyoming Democrat who is chairman of the Senate Post Office Committee, gave everyone the shudders last March with talk of a 38-cent First Class rate by 1984. The senator did predict that if the Postal Service were able to maintain strict controls on its operations and continue the pace of mechanization until 1984, the First Class minimum might have to be only 20 cents.

Here it is only 1973, and the American mailer is all but officially halfway there. Postmaster-General E. T. Klassen has announced plans to seek across-the-board increases in postal rates to take effect next January.

Anyone who doubt that approval of that request is a foregone conclusion is reminded that the U.S. Postal Service was reported stockpiling 10 cent stamps earlier this month. Even the Cost of Living Council, which is still trying to hold the line against inflation, is being counted on to "see the light," as Gen. Klassen said. "The light" amounts to the Postal Service's need for a 25-cent-per cent increase in the cost of mailing a letter First Class; an 18-per-cent increase in the basic cost of an Air Mail letter, to 13 cents from the current 11 cents; a 39-per-cent increase in the rate for Second Class mail; a 25-per-cent increase for Third Class mail, and a 6-per-cent increase for Fourth Class.

It probably is beating a dead horse to point out that the last rate increase—which put First Class stamps at 8 cents each, only became official in June of last year. It was, of course, collected on a "temporary" basis for the 18 months from the rate request in January 1971 until approval in 1972.

Gen. Klassen anticipates something of the same situation, since he predicts the effectiveness of the proposed new rates on a temporary basis beginning in January.

As irresistible as the Postal Service's rising cost appear to be, it does seem necessary to point out at least some of the hazards of this most recent rate increase. Gen. Klassen conceded with some displeasure last June that private mail companies were giving the Postal Service real concern with competition, despite legal limitations on their operations.

United Parcel was handling more parcels at that time than was the parcel-post operation of the Postal Service. These latest proposals are unlikely to turn that situation around, despite Gen. Klassen's announcement of new equipment to improve parcel handling and reduce what appeared to be inordinate damage.

There also is a very real threat to mail-circulated newspapers, magazines, books and records. The proposed rate increases announced this week are on top of similar increases that took effect, after a Cost of Living Council delay, earlier this month.

Those increases put the cost of mailing a news magazines at 3.4 cents; a rate for books and records rose two cents to 16 cents per pound for the first pound and one cent to 8 cents a pound for each additional pound.

It is no longer crying "Wolf!" to point out that the cost of mailing represents a genuine threat to the mass-circulation magazines surviving today. If Postal Service trends continue, the same may be said for the business letter, the love letter and the "Dear John" letter. That may be of no concern to the compulsive telephoner but it is a bitter new pill to swallow for those Americans who grew up on the myth of efficient postal service at minimum cost.

COPERNICUS EXHIBIT

Mr. STAFFORD. Mr. President, I am very pleased and I ask unanimous consent to place a feature article in the RECORD which describes the events in Springfield, Vt., honoring the memory of Nicolaus Copernicus.

It is especially fitting that Springfield honor this most distinguished scientist of early times by a Copernicus exhibit in the Springfield Town Library and by the presentation by Dr. Vernon Reyman, professor of humanities, Vermont Community College, on June 20, as well as the exhibit which Dr. Reyman also prepared at the library concerning Copernicus.

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

COPERNICUS EXHIBIT IN LIBRARY

The Springfield town library is featuring, until December 14, an exhibit honoring the man whose ideas caused a revolution in the thinking of all men: Nicolaus Copernicus.

Springfield takes special note of Copernicus since the area has such a large Polish population. It is also the Birthplace of Amateur Telescope Making (Stellafane since 1925) and as such recognized as the world center of amateur astronomy.

The exhibit features beautiful foreign posters, pictures and books of interest to all, some of which have been given especially for this exhibit through the courtesy of Poland's Deputy Foreign Minister, Stanislaw Trepcznski.

It is hoped that the schools in the area will take advantage of this special presentation and inform their students since it links our own space explorations as a direct result of Copernicus's revolution.

The exhibit also contains von Braun and Sikorsky autographs.

Copernicus lectures, seminars and festivities have been going on worldwide and in the United States by such distinguished organizations as the Smithsonian Institute, the National Academy of Science, most major universities, the Hayden Planatarium in New York and numerous other institutions.

A stamp has been issued on April 23, 1973, a number of medals have been struck in his honor, Congress has approved a one million dollar, Academy of Science sponsored good will gift by America for a Copernicus astronomical research center in Warsaw, dedicated to the study of the universe.

On August 21, 1972 the heaviest and most complex U.S. un-manned Space Orbiting Astronomical Observatory was launched from the Kennedy Space Center—after which orbit was achieved the observatory was named "Copernicus" in honor of the 500th anniversary of his birth.

Copernicus lived in an age of discovery. He was 20 years old when Columbus discovered America; he was 25 when Vasco de Gama sailed around Africa to reach India and he was 49 when Magellan's last ship returned from a voyage around the world, proving that the world was round.

The exhibit has been arranged by Dr. Vernon Reyman, who also teaches a course in the Humanities for the Vermont Community College, and concludes (as far as is known) Vermont's recognition of this outstanding Astronomer-Humanist.

This began with a Proclamation by Governor Thomas P. Salmon followed by a lecture given last summer as part of a Special Events program sponsored by the Vermont Community College. Also shown was an unusual presentation of slides (from Poland) showing places where the great creator of the heliocentric theory was born, where he lived, worked and studied: Terun, Krakow, Frauenburg Cathedral (where he is buried) Warsaw, Bologna and Padua.

Arrangements to see the slides can be made by contacting Mrs. Hudson at the Springfield town library.

CAMPAIGN FINANCING REFORM—A GOOD INVESTMENT FOR BUSINESSMEN

Mr. BIDEN. Mr. President, I have been actively urging campaign financing reform throughout the past year. In testimony before the Senate Rules Committee and in public speaking engagements, I have advocated public financing of congressional and Presidential campaigns as a means of cleansing our national political system of many of the abuses to which "big money" contributes.

An essential factor for the enactment of effective campaign financing reform is the willingness of those who participate in and benefit from the present system to set aside narrow self-interest and actively support the much-needed changes. Thus, the incumbents and those who contribute large sums in an effort to determine the outcome of national elections and the subsequent direction of national policy hold the key to reform. The recent disclosures and scandals emanating from campaign financing improprieties which have destroyed the careers of a few and tarnished the image of politicians and contributors in general argue effectively that it is in the enlightened self-interest of all involved to reform campaign financing.

Mr. Robert M. Kaufman, chairman of the Special Committee on Campaign Expenditures of the Association of the Bar of the City of New York, writing in the October 25, 1973, edition of the Wall Street Journal, outlines the critical role of businessmen in the reform effort. He argues that businessmen have a "glorious opportunity" to exercise their influence to secure the enactment of reform and thereby rebuild their image and free themselves of the costly and sordid campaign practices in which the present system has involved them. At one point Mr. Kaufman writes:

The same businessmen who came up with the bulk of nearly $100 million raised for presidential candidates in the last election may be the only group with enough clout to see that it never happens again—that meaningful reform of election financing is enacted while the country is in the mood for it.

Mr. President, I believe support for campaign financing reform may be one of the best investments American businessmen can make for themselves and our political system.

I ask unanimous consent that Mr. Kaufman's article, "The Need To Curb Dollar Politics," be printed in the RECORD.

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

THE NEED TO CURB DOLLAR POLITICS

(By Robert M. Kaufman)

A glorious opportunity lies waiting for the businessmen throughout the country who contributed, willingly or otherwise, to the 1972 election campaign.

The same businessmen who came up with the bulk of nearly $100 million raised for presidential candidates in the last election may be the only group with enough clout to see that it never happens again—that meaningful reform of election financing is enacted while the country is in the mood for it.

These big businessmen and many not-so-big businessmen for years have contributed either from a sense of duty to support the party or the candidate they felt would do the country the most good, or out of fear. To the average businessman, government decisions are an ever-increasing factor in the earnings performance of his company. A phone call from a fund-raiser known to represent powerful political forces is a mighty hard thing to ignore.

But the reputation of the business community as a whole has unquestionably been tarnished by the actions of a sizable minority who have made contributions seeking direct political influence in matters affecting their business interests. The $200,000 Vesco contribution and the contributions by the dairymen's funds and by Howard Hughes appear to have such motivations. And it is hard to believe any other explanation for the actions of the seven major corporations that broke the law by making contributions totaling half a million dollars to the Nixon fund.

A NEW CHANCE

The great majority of businessmen who want to clear the name of business in politics after these excesses have their chance to do so in the present Congress. There is increasing evidence that without some urging from the businessmen who contributed to their election, congressional leaders may twiddle their thumbs for quite some time. After all, many incumbents are counting on heavy financial support in congressional elections coming up next year.

The Common Cause study of congressional campaign spending has shown that, like the President, the incumbent Congressmen raised a record amount of money in the last campaign (about $525,000 for the average Senator, and $60,000 for the average Representative—in both cases about double the amount raised by their challengers). To ask people who are supported that well by the system to take the initiative in tearing down the system is asking quite a lot.

A start was made nonetheless during the summer when the Senate passed the first bill in American history putting a ceiling on individual or political committee contributions to presidential and congressional candidates ($50 cash, $3,000 in cash and checks, and a $25,000 limit to contributions for all candidates in one year). While this bill has some flaws, it would be a big step forward.

A companion bill passed by the Senate would create a new Commission on Federal Election Reform to study more fundamental changes in law with respect to more basic issues such as the philosophy of campaign financing, tax laws applicable to campaign financing, nomination procedures and even the length of the terms of federal officials.

The trouble with long-term solutions to campaign financing reform is that if we put limits on campaign contributions, which is such a simple thing to do, we must immediately find some alternative way to raise money for election campaigns. It would certainly be impossible to run a presidential campaign in 1976 without again tapping huge sums from the business community unless an alternative is found.

The currently favored alternative is federal subsidizing of election campaigns. This idea is embodied in a bill sponsored by Representatives Udall and Anderson in the House, under which the Treasury would match the first $50 of private contributions, which would be limited to $1,000 for congressional candidates and $3,000 for presidential candidates.

The idea of such federal subsidizing of election spending has drawn mixed reactions in the business community, according to a recent Chamber of Commerce survey. This is scarcely surprising in the light of the business community's traditional resistance to further intrusion of federal power in areas where business is accustomed to enjoying the freedom to look after its interests. One can only hope that the abuses of that freedom by a significant minority will dampen the enthusiasm of the great majority of businessmen for playing their chips in the political world on the scale they did in 1972.

The immediate and important problem is that there is no sign that the House will act quickly, either on limiting contributions or on finding an alternative. House Administration Committee Chairman Wayne L. Hays of Ohio is presently proceeding at a pace which belies no sense of the urgency of the problem. Yet, unless action on these bills is taken promptly, the problems that faced the business community in the 1972 presidential campaign will be repeated all over again in the 1974 congressional campaign.

That is why the businessmen who are and will otherwise continue to be the chief targets of political fund raisers have every reason to be concerned with this problem. As the parties most likely to be affected, they should enter actively into the discussion of this legislation that would both limit their ability to influence future elections and substitute other sources of funds for such purposes.

ANTICIPATE THE FUTURE

Reform of campaign financing is another one of those public issues—like equal opportunity and pollution—that will backfire on the business community if it is too myopic to anticipate the future. There can be no doubt that the black eyes that businessmen got as the abused victims of fund-raisers in the excesses of the last presidential campaign did harm to the image of business in general with the public.

Watergate and other recent disclosures taught us all a lesson about the corruptibility of ordinary mortals—a lesson that apparently has to be repeated at least once every generation. Since human nature is unchanging, the best thing for the nation to turn its attention to is changing the system that makes corruption so easy in a society where so many have so much money to throw around for such purposes.

Business leadership in getting this job done would go a long way towards clearing the bad reputation business has acquired from the sequence of shabby misdeeds that has come to light in the aftermath of Watergate. It will be fascinating to see whether business has the foresight to wield its power for reform before getting itself trapped again in the conditions that led to the abuses of the 1972 election.

THE ENVIRONMENTAL IMPACT OF GEOTHERMAL DEVELOPMENT

Mr. FANNIN. Mr. President, this week the Interior Committee held hearings on S. 2465, the Geothermal Energy Act of 1973, and I am hopeful that we can act quickly on this legislation. Our current fuel shortage demonstrates how essential it is that the United States develop every possible economically desirable source of energy.

The more that I have explored the subject, the more I have become convinced that geothermal resources can make a meaningful contribution toward achieving and maintaining energy self-sufficiency in the future.

Delay in the development of this resource has come because questions have been raised as to whether it could result in environmental damage. With each passing day we are gathering more data which would indicate this is not so.

Some interesting articles have been written by Richard G. Bowen, an economic geologist in the State of Oregon Department of Geology and Mineral Industries. One of the points he makes is the very limited environmental impact that geothermal development will have if properly instituted.

Mr. President, it is my desire that my colleagues have an opportunity to read an excellent article and a speech written by Mr. Bowen. I ask unanimous consent that they be printed in the RECORD.

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

10. ENVIRONMENTAL IMPACT OF GEOTHERMAL DEVELOPMENT

(By Richard G. Bowen)

The motive force of our industrial-technological society is the use of stored energy. Within the United States, where about 6 percent of the world's population uses 35 percent of the world's energy, many are beginning to question whether all of this expenditure of nonrenewable resources is necessary. For although it would be catastrophic to prohibit the use of energy stored in fossil fuel or in fissionable material, it would be equally catastrophic to use energy at its projected potential rate of increase, which finds electric-power production doubling every 10 years.

A running confrontation has ensued between those whose projections call for more production and consumption of electricity and those who insist that past values and practices have brought us to the brink of disaster, that the price for "more" is too high. Arguments have also revolved around claims and counterclaims of the proponents and opponents of the various methods of producing electricity, each faction claiming its method is the "cleanest." Because the power plants proper are salient in the public eye,

the controversy has centered on them, almost to the exclusion of the other steps of the fuel cycle, some of which have much greater environmental impact. To render valid judgment on the environmental effects of the several means of producing electric power, it is necessary to look beyond the power plant to the total fuel cycle.

The geothermal plant is unique in that all of the steps in the fuel cycle are localized at the site of the power-production facilities. At the other end of the power spectrum is the nuclear-reactor plant, in which the actual power-production facilities are a small fraction of a cycle requiring a complex industrial-support system for each reactor. Intermediate in complexity, and varying somewhat in rank with the type of fuel used, are the fossil-fuel plants. Thus in all instances except geothermal the environmental impact of the fuel cycle extends far beyond the bounds of the power-generating plant.

CHARACTERISTICS OF GEOTHERMAL-ENERGY PRODUCTION

Like other thermal power plants, the geothermal plant involves the production and use of steam, expanding it through a turbine and condensing it at the turbine exhaust. The geothermal plant differs from the conventional-fuel or nuclear plant in its method of steam production and the quality of its steam. At the geothermal plant the steam is produced in nature's own boiler by the natural circulation of water coming into contact with hot rocks in the depths of the earth. Depending upon conditions within the reservoir, the geothermal fluids may be in the form either of slightly superheated dry steam or of pressurized hot water. The condition of the fluid in turn controls the method of utilization and the potential environmental impact from its production.

The most desirable type of geothermal field, and the only kind that has proved to be economically viable with existing technology in the United States, is the dry-steam field, with its sole example that at The Geysers, California. But projects are under way that will utilize the more prevalent hot-water fields in other parts of the country, and the environmental effects of the various power-production cycles employed must be examined.

Dry steam and hot water differ chiefly in the quantity of geothermal fluid that must be brought to the surface to produce a given amount of electric power. At The Geysers, it takes about 20 pounds of steam to produce 1 kwh of electricity. In a dry-steam field the total well production can be utilized in the power cycle; of this 20 pounds, approximately 15 is evaporated in the cooling system and the remaining 5 is disposed of by returning it to the production reservoir. Aside from the aesthetic impact of the simple presence of the geothermal power plant, the only release of products is the venting of modest quantities of noncondensable gases entrained in the steam. More will be said about the nature and quantity of these gases.

There are two possible methods of producing power from hot-water fields. One is to flash water to steam at reduced pressures and then treat the steam in the same manner as the dry-steam power plant. This is the method successfully used in New Zealand and Mexico. The other method, the vapor-turbine cycle, described by Anderson (this volume), uses heat exchangers and a turbine with a separate working fluid.

Because of the lower enthalpy of hot water, both of these methods bring much greater quantities of fluid to the surface than dry-steam fields produce, per kwh of electricity produced. The actual amount is dependent upon the water temperature and the flashing pressure, but in actual conditions it ranges normally between 75 and 150 pounds per kwh of electricity (Hansen, 1964). With the simple flashing method, utilizing the steam condensate for cooling, the disposal of 60 to 135 pounds of geothermal water is required. This can be done in many ways, but in the United States injection into the producing reservoir is probably most desirable. The vapor-turbine cycle requires less water than the flashing method per kwh of electricity, but all of the geothermal fluid must be disposed of, since it is not used for cooling.

Except in their manner of returning fluids to the geothermal reservoir, both the simple flashing system and the vapor-turbine cycle have proved successful in basic concept. The problem with reinjection lies in the fact that most geothermal hot waters contain some dissolved solids, and the lowered pressures and temperatures may cause salt precipitation, which in turn might reduce porosity or plug fractures in the reservoir. The net result could be a decrease in permeability and capacity for accepting further reinjection fluids—to the inevitable detriment of productivity. In dry-steam fields, where reservoir steam is of high purity, injection is practiced successfully. In this case the injected steam condensate is essentially distilled water and contains only a few parts per million of salts.

An advantage of the vapor-turbine cycle is that it entails no release of noncondensable gases; the geothermal fluid is contained under pressure and not allowed to expand at any time. Without the need for expansion, the noise level at the field is much lower than that of the hot-water flashing system, which can generate considerable noise during the test phase (though during the production phase everything is contained and inaudible). A commensurate disadvantage in the vapor-turbine cycle is the need for a supplementary source of cooling water, since steam condensate is not directly available.

To gain proper perspective on the environmental impact of producing electricity from a geothermal plant, it is necessary to understand the basic character of its various manifestations and to compare the relative impact of other thermal power cycles—nuclear and fossil-fuel—since each produces its own effects. The kinds of effects produced may be categorized by their impact on the land, on the air, and on the water.

IMPACT ON THE LAND

Natural steam is produced by drilling wells to a depth of 300–2,700 m (1,000–9,000 ft) until a productive steam aquifer is tapped, as is done in the production of natural gas. The pressure of the steam causes it to flow to the surface, where it is collected in insulated pipes and delivered to turbines. At The Geysers field, where individual wells have an average production about 7 Mw, about 150 wells are required for a 1,000-Mw plant. With the present spacing at The Geysers this would amount to about 12 square miles of land. And additional acreage must be set aside for new wells, to maintain the needed steam supply as production from existing wells declines (see Budd, this volume).

The wells, pipelines, and power plants of the producing geothermal field, such as that at The Geyser, modify the existing terrain. This aspect of geothermal development is one of the main objections voiced by environmental groups. But the development of a geothermal field need not be out of harmony with the surroundings. The geothermal field at Larderello, Italy, has been compatible with many other land uses during its 60 years of development and production. Because the wells, gathering lines, and power plant use only small patches and strips of the field most of the land is being used for varied agricultural industry, with many farms, vineyards, and orchards interspersed among the pipelines and wells (see Figs. 1 and 2).

Another example of multipurpose utilization is The Geysers field. Prior to its development as a producing power resource, The Geysers area was a wilderness, with much of the land owned by private hunting clubs that devoted the land to forage for deer. This use, along with cattle grazing, continues at The Geysers field.

The impact of the construction of wells, pipelines, and power plants is most evident during the development period, and for a large field this could extend over several years.

Drilling operations in a geothermal field are comparable to construction activities in noise impact and are equally episodic in nature. The noise problem is associated mainly with drilling operations and steam escape during testing. Once the field is in production the noise level declines to that of other power plants. The drilling of dry steam wells requires special techniques; at the present time, drilling into the production zone uses air, rather than mud, for the circulating fluid that removes the drill cuttings from the hole. This results in a "controlled blow-out" of the well during the time the steam zone is penetrated, amounting to only a few days out of the total drilling time. There is no danger involved because the pressures are relatively low and the blow-out can be quenched at any time by pumping water down the drill string. When the well is completed it must again be allowed to blow until the accumulated dust and rocks are removed from the bore hole. This constitutes the clean-out period, and until it is completed the wells cannot be completely muffled. Mufflers now in use at The Geysers field during drilling and testing operations have significantly lowered the noise level in the field, and new developments promise further decline of the noise levels.

Land subsidence and seismic effects are other potential effects of geothermal development. The possibilities of these two environmental hazards were raised by the Department of the Interior in its Environmental Impact Statement for the Geothermal Leasing Program (1972), and by the Sierra Club. But neither at the Iarderello field, where production has been carried on for 60 years and on a relatively large scale for 30 years, nor at The Geysers, with its 12 years of operating experience, have subsidence or seismic effects been observed. Although these phenomena have been noted under special circumstances in certain oil fields, there is no reason to relate such problems to the dry-steam geothermal field, where the geologic conditions are entirely different. Hot-water fields, however, could present a problem, as we shall see.

Subsidence can occur whenever support is removed from beneath the ground. It has been noted in oil fields, in mines, and from the pumping of subsurface waters. In most cases where subsidence is caused by the removal of ground waters the pumping is from a relatively shallow depth. In oil fields the fluids have come from greater depths and subsidence occurs only under special conditions, i.e., when the fluids being removed are at greater than normal pressures for the depth of the reservoir. These conditions constitute an "over-pressured" reservoir, the fluids providing support to the overlying column of rock. Removal of this support may lead to subsidence. Injection of water around the periphery of the field replaces the petroleum with water, thus alleviating the problem.

Because of the geologic circumstances under which dry-steam fields develop, subsidence should not be expected to occur.

The production reservoir of a dry-steam geothermal field consists of fracture zones, solution channels, or other permeable cavities filled with vapor, possibly from the "boil-off" of a deeper hot-water reservoir. A unique characteristic of the dry-steam geothermal fields is the near-constant pressure of the vapor wherever measurements are made throughout the vertical section of the reservoir. At The Geyers and the other dry-steam fields so far discovered in the world, the steam temperatures and pressures are about 240°C (465°F) and 34 kg/cm² (480 psia). White, Muffler, and Truesdell (1971) discuss the reservoir thermodynamics that explain this phenomenon. This near constancy of pressure, even at depths greater than 2,500 m (8,200 ft), where hydrostatic pressures would normally be about 280 kg/cm² (4,000 psia), indicates that for a dry-steam field to exist the host rocks must be competent and therefore not subject to subsidence from the removal of vapor.

Hot-water fields, by contrast, could behave more like an unconsolidated petroleum reservoir, and unless pressures are maintained by fluid return there may be subsidence. Indeed, this has occurred in Wairakei, New Zealand (Hatton, 1970), where the water is not returned to the reservoir. Much has been learned about subsidence from the exploitation of petroleum reservoirs, and with the proper understanding and practices, any geothermal area where this could be a problem can be stabilized.

In relating the exploitation of geothermal resources to seismic hazards it must be considered that the unstable conditions in the Earth's crust leading to the presence of geothermal phenomena are also those conditions producing faults and earthquakes. Thus geothermal and seismic phenomena are geographically inseparable. In fact, the presence of high seismic incidence is one of the exploration clues used in the search for geothermal reservoirs (Clacy, 1968). However, the intensity of individual shocks within the thermal areas and associated with volcanic activity (the source of geothermal heat) is usually of a relatively low order, much lower than that associated with major crustal movements along faults (Ward, 1972). There is much to be learned about the interrelationship of thermal and seismic phenomena, and the drilling and exploitation of geothermal fields should add new information to this field of knowledge. But there is no evidence that geothermal production has increased the seismicity of an area.

Concern over seismic hazards arises in part from the process of reinjection of the spent geothermal fluids. Incidents of seismic activity relating to the injection of fluids in waste-disposal operations, such as that at the Rocky Mountain Arsenal near Denver (Evans, 1966), and to water-flooding operations to repressurize declining oil fields (Raleigh et al., 1970, 1971), have involved injection at pressures exceeding hydrostatic. In such instances, reinjection could open and lubricate preexisting fractures and zones of weakness or extend the fracture pattern, causing increased seismic activity and perhaps structural damage. But geothermal reservoirs are at subnormal pressures and the return of fluids merely maintains preexisting pressures in the reservoir and would not cause the increasing seismicity noted in other conditions. The low pressure existing in geothermal reservoirs facilities the reinjection of fluids into the fields in two ways: first, because reservoir pressure is less than hydrostatic, the water's weight produces sufficient head to ensure its entry into the formation without pumping; second, the returning water seeks the area of lowest pressure, thus minimizing the chances of geothermal fluids' migrating into other aquifers.

In order to compare the impact on the land from geothermal operations with the effects occasioned by the nuclear-fuel and the fossil-fuel cycles, all of the steps in the production of fuels should be considered. Mining, milling, refining, enrichment, conversion, and fabrication must be performed before the nuclear-fuel cells enter the reactor. Mining is the first major step. Over its 30-year active life, a 1,000-Mw reactor will need about 1,000 tons of enriched uranium (Westinghouse Electric Corporation, 1968, p. 45). Using the enrichment ratio required by the present generation of pressurized water reactors, this would require the production of 6,000 tons of natural uranium. The current grade of uranium ore mined in the United States, and the figure usually used for reserve projections, amounts to about 4 pounds of uranium per ton, but over the life of the plant the grade of ore is expected to decline and will probably average 3 pounds per ton. This would require the mining of 4,000,000 tons of ore over the life of the plant, or an average of 133,333 tons per year.

The U.S. Atomic Energy Commission reports (1972, p. 51) that the uranium-mining industry currently holds more than 19 million acres of land for mining and exploration. Not all of this land will be mined out, but the considerabe amount of uranium ore that must be extracted to supply projected needs will constitute a major impact on the land.

The milling of uranium ore also creates a substantial impact on the land. Of the many millions of tons of ore that have been milled in the United States to date, most of it is still standing in large waste dumps adjacent to the mills. These waste dumps not only are an eyesore but in some cases represent a landslide hazard, as do the waste dumps from other types of mines. More seriously, they carry the threat of radionuclide contamination to the environment.

Another impact of the nuclear-fuel cycle is the massive construction required by the various steps in the conversion cycle. Of particular significance are the gaseous-diffusion enrichment plants. Three of the plants currently in operation were built originally to supply the uranium needed for weapons, but they are now being used to process nuclear fuels for commercial reactors. These three plants, built at a cost of over 2 billion dollars (Hogerton, 1964, p. 14), consume tremendous amounts of electricity in their operation; in 1962, for example, they consumed 47 billion kwh of electricity or about 5 percent of the total amount of electric power generated in the United States (Westinghouse Electric Corporation, 1968, p. 14). The increasing demand for nuclear fuels will make necessary the construction and operation of new enrichment plants, and the consumption of large blocks of electricity for this purpose.

The transportation and handling of nuclear fuels, especially the spent fuels, is a potential environmental hazard. The isolation and storage of the high-level fission wastes from the several reprocessing plants, whose volume is estimated by the AEC to be about 60 million gallons by the year 2000, requires large, guarded disposal sites. In addition to these high-level wastes, there are large volumes of low-level wastes, such as tailings and various wastes from other steps in the fuel cycle, that must be isolated or diluted and dispersed into the environment. Each of these exigencies uses or compromises occupied land. The high-level wastes may indeed require permanent protection from entry into the environment.

And although it is not possible to estimate the amount of subsidiary land that may be required by each reprocessing plant, a considerable amount of surface and/or underground storage facilities may be needed.

Fossil-fuel generating plants, particularly those fired by coal, require a vast acreage or land for mining, railroad yards, and fuel handling. A coal-fired plant of 1,000-Mw capacity would require about 70 million tons of coal over its 30-year life (U.S. Congress, 1969, p. 125). With a ratio of 2:1 overburden to coal, this would amount to the movement of about 200 million tons over the life of the plant. Moreover, land is required to accommodate the washing and shipping of the coal and to dispose of the fly ash and clinkers. Coal-fired electric power plants usually require more land than do nuclear plants for the plant site proper, but because of the simplicity of the fossil-fuel cycle and because its wastes do not require guarded isolation, the total land requirements are less than those for the nuclear plant.

Oil- and gas-fired thermal plants generally create less local impact than the coal plant bacause the fuel is most often delivered by pipeline or barge, and little area is required for fuel storage. All of the problems created by combustion are present, but generally to a lesser extent than with the coal-fired plant, since oil and gas contain fewer deleterious elements. Natural gas is the cleanest fuel available, but because supplies are diminishing rapidly and new sources appear to be extremely expensive it will probably not be considered for base-load plants, but only for peaking purposes. Again, as in the case of coal and nuclear plants, land in other areas must be devoted to producing, processing, and transporting the fuel.

In summary, a geothermal power plant, particularly during its developmental period, appears to incur more impact of the land than do other thermal plants; but all of the components of the total geothermal system are at a single site. With nuclear power, the thermal reactor and power-generating facilities are a small part of the power cycle—the top of the iceberg. The fossil-fuel cycle is intermediate in simplicity and land use between the geothermal system and the nuclear cycle.

IMPACT ON THE AIR

Gases are rejected to the air from each type of thermal power plant. But because the geothermal plant operates without combustion, the volume of noxious gases produced is far less and is of a different nature than that from a fossil-fuel plant. The natural steam is predominantly water vapor; that at The Geysers, for example, yields 99.5 percent water vapor. The noncondensable gases are about 80 percent carbon dioxide, with lesser amounts of methane, hydrogen, nitrogen, ammonia, and hydrogen sulfide (Bruce, 1971). Of these, hydrogen sulfide presents the most serious environmental problem. At The Geysers, hydrogen sulfide runs about 2 to 6 percent and averages 4.5 percent of the noncondensable gases from the producing wells (Goldsmith, 1971, p. 31), or about 225 parts per million of the steam.

Because of the remoteness and the relatively small size of the power plants at The Geysers, and because of the lower release per unit of power than from fossil-fuel plants, the hydrogen-sulfide emission has not caused the producers much concern. However, the expansion of the field and the increasing awareness of the necessity for minimizing all releases have caused the power company and the steam producers to begin studies to lower the hydrogen-sulfide emission. Their studies show that most of the noncondensable gases are drawn from the direct-contact condenser. A part of the hydrogen sulfide, however, goes into solution in the condensate, where it is converted to sulfates and elemental sulfur. Materials-balance calculations (McCluer, 1972) indi-

cate that 30 percent of the hydrogen sulfide is oxidized and retained at the cooling towers or injected with the condensate as sulfates and elemental sulfur. Laboratory tests have shown that by altering the chemistry of the condensate by the addition of sulfur dioxide the oxidation of hydrogen sulfide to sulfur and water can be accelerated. If the field tests of this process are successful, it may be possible to overcome this environmental problem (Barton, 1972, p. 33).

To place the release of hydrogen sulfide from geothermal plants in its proper perspective, the release should be compared to that of fossil-fuel plans. Using for comparison a 1,000-Mw plant fired by coal with 1 percent sulfur and the steam conditions at The Geysers, the fossil-fuel plant would release 140 tons of sulfur dioxide per day (U.S. Congress, 1969, p. 115). By comparison, the geothermal plant with a flow of 430 million pounds of steam per day containing 0.0225 percent hydrogen sulfide would bring to the surface 48.4 tons of hydrogen sulfide per day. If 30 percent is returned to the reservoir with the steam condensate, as seems to be the ratio now, the total release would be 33.9 tons or about one-fourth the sulfur dioxide from the coal plant. This constitutes the release without pre-treatment. If the method described by Barton (1972, p. 33) is successful, the hydrogen-sulfide release can be lower.

Carbon dioxide, the major component of the noncondensable gases in the natural steam, would total about 860 tons a day from a 1,000-Mw plant. The fossil-fuel plant of the same electrical capacity produces about 20,000 tons of carbon dioxide a day (Holdren and Herrera, 1972), or more than twenty times that of the geothermal plant. And the geothermal plant releases no oxides of nitrogen, smoke, fly ash, or other aerosols.

Radioactivity of the gases and steam is at or very near natural background. Tests have shown that The Geysers steam has an alpha radiation level of 0.015×10^{-7}mCi/ml, well below the U.S. Public Health Service permissible concentration for drinking water (Bruce and Albritton, 1959).

A nuclear reactor has less total release to the air than a geothermal power plant, but when the complete nuclear-fuel cycle is considered the total impact on the air is many times that of the geothermal plant. Dust, smoke, and radionuclides are released from the mining operations at the outset of the cycle, and each step of the cycle produces various new releases. Although most of the individual releases are minor, the sum total of their effects is considerable, especially that from the fuel-reprocessing plants.

Another factor of air pollution to be weighed in the nuclear-fuel cycle is the total gases produced from hydrocarbon fuels by the machinery necessary to mine, mill, and process the uranium, and to transport it. Currently, the ore is mined and milled in the Rocky Mountains and shipped to the Midwest and South for refining, enrichment, and conversion; the fuel units are fabricated in California, shipped to a reactor in, for example, Oregon, then to a fuel-reprocessing plant in New York; and the wastes are shipped to a storage site in, say, Washington or South Carolina.

Fossil-fuel plants employing the combustion of coal, oil, or natural gas produce large amounts of carbon dioxide, nitrogen oxides, sulfur oxides, and, especially with coal, fly ash. These products create visible air pollution as well as other effects that have been the object of most of the complaints against fossil-fuel plants.

IMPACT ON THE WATERS

The natural thermodynamic constraints placed on any steam cycle require the rejection of 60 to 70 percent of the total energy produced. This is normally done by circulating cooling waters through the condenser to pick up this reject heat and dissipate it into a larger body of water such as a river, lake, or ocean. Rejection of heat into the body of water can cause local environmental degradation, or at least a change in the biota, and is generally described as thermal pollution. It is inherent in the energy conversion of the thermal-electric plant, and is present in all of the new types of power-production methods being used and considered, including fusion and magnetohydrodynamics. One way to alleviate thermal pollution is to reject the waste heat directly to the atmosphere and not through an intermediate body of water, as is now the practice. Cooling towers will accomplish this transfer, but require large quantities of low-cost water, or, in the case of the dry cooling tower, an extremely large capital investment. With the present system of producing electricity from the dry-steam fields, which is technologically feasible for the flashed hot-water fields as well, all of this waste heat is either returned to the producing reservoir or rejected directly to the atmosphere via the cooling towers, thus creating no thermal pollution. The closed-cycle vapor-turbine system, as described by Anderson (this volume) will require the same heat-rejection system as conventional thermal plants.

The necessity for large quantities of water is becoming one of the limiting factors in the location of thermal-generating plants. In the Rocky Mountains, where there are large coal resources, there is already a shortage of surface and ground water for other uses. Adding the load of several new thermal plants will cause a severe strain on the available water resource. So great are the requirements for cooling water that at a recent national AAAS symposium on "Power Generation and Environmental Change" it was estimated that by 1980 one-sixth of the freshwater runoff in the United States will be used to cool power plants, increasing to one-third by the year 2000 (Holcomb, 1970). Dry cooling towers and condensers are a partial answer to the problem, but they add significantly to the capital costs of the plants and lower their efficiency.

The geothermal plant, which relies on natural steam at lower temperatures and pressures (and therefore bearing less usable heat) than those of the manufactured steam of the fossil-fuel or nuclear plant using the same cooling system, will evaporate more water than the other types of plants. With cooling towers, a 1,000-Mw geothermal plant evaporates 30 to 35 million gallons of water a day; a nuclear plant, 25 to 30 million; and a fossil-fuel plant, 15 to 20 million gallons a day. These volumes are closely related to the respective thermal efficiencies of the plants, which are about 14 to 16 percent for the geothermal plant, 32 to 34 percent for the nuclear plant, and 36 to 40 percent for the fossil-fuel plant.

But thermal efficiency as so measured is a characteristic of the power plant, not of the total cycle. Indeed, the thermal efficiency of the nuclear-fuel cycle should be based on more than just the conversion of fission energy to steam energy; it should consider as well the energy requirements of each step of the conversion of uranium ore to enriched reactor fuel, and the energy required for transporting, handling, and guarding the wastes!

By contrast, geothermal plants do not require a supplementary source of cooling water when using natural steam or the flashed cycle. The natural steam, after passing through the turbine, is condensed, piped to the cooling towers, and then recirculated back to cool the condenser. By this method the field at The Geysers produces about 20 percent more condensate than is evaporated. This surplus is then returned to the reservoir where it originated, thus prolonging the useful life of the field. A geothermal plant is the only type of thermal power plant that does not compete with other uses for our dwindling supplies of water.

HAZARDS TO GROUND-WATER AQUIFERS

One of the questions raised about geothermal power development is its potential to contaminate surface and ground waters. True, in the early days of the exploration and development of geothermal resources in this country, several improperly cased wells blew out during drilling, allowing geothermal fluids to enter shallower aquifers or nearby streams. Also used to illustrate the danger from thermal waters are the wells drilled in the Salton Sea region. Here the extremely saline brines, which contain about 33 percent dissolved solids after flashing, constitute a hazard if allowed to enter and mix with the irrigation waters in the region. But hypersaline brines are probably restricted to the Salton Sink proper and are not present elsewhere in the Imperial Valley; they are in fact found in only a few places in the world. Geothermal waters generally carry higher percentages of dissolved solids than do nonthermal waters, because their higher temperatures have increased the rate of dissolution of the more volatile chemicals of the host rocks. But in many cases the thermal waters are of sufficient purity to be used for agricultural and industrial purposes. For example, in Klamath Falls, Oregon, the geothermal waters are used directly for stock watering (Peterson and Groh, 1967), and in Boise, Idaho, the geothermal waters are used for domestic hot waters (Wells, 1971). In Iceland there is a long history of geothermal-water utilization for both heating and domestic use.

The hazard of surface-water contamination has delayed the development of hot-water geothermal fields in the United States. Although this type of geothermal field has been developed successfully elsewhere—notably at Wairakei, New Zealand, and Cerro Prieto, Mexico, where the effluent is rejected into the surface streams—attempts to develop a field in the Imperial Valley have thus far been slowed. The main deterrents are the high salinity of the geothermal fluids found in the area, the extremely precarious water situation existing in the Valley, and the high cost of the farmland. A development planned by the Bureau of Reclamation is outlined by Laird (this volume). This plan would allow multiple use of the geothermal resources of the Imperial Valley and answer many of the questions raised concerning the environmental hazards of hot-water fields.

Although the development of the hot-water fields has been delayed in the United States, mainly because of the problem of disposing of the large volumes of water, there is every reason to believe that hot water will be utilized in the future, for it does have several advantages over dry-steam systems. Primarily, it appears to be much more abundant and is producible from shallower depths, which would make it particularly useful for space heating and for industrial and agricultural purposes. In fact, the hot waters are already used extensively for heating purposes in Hungary, the Soviet Union, Iceland, New Zealand, and Japan, as well as in the western United States and in the multipurpose development in the Imperial Valley.

Hot-water wells can be drilled by conventional drilling techniques using mud as the circulating fluid rather than air. This cuts down the noise level and the escape of steam and dust from drilling that character-

ize the dry-steam wells. In areas where the pressures are not excessive it is common practice to drill hot-water wells even within cities (Klamath Falls, Oregon; Boise, Idaho; Rotorua, New Zealand; and Budapest, Hungary). This would be extremely difficult, if not impossible, to do with a dry-steam well.

Dry-steam fields, such as those at The Geysers and Larderello, do not pose the problem of saline-water diposal, since these salts are not transported in the steam phase. Most of the foreign material in natural steam is in the gaseous state, in the form of noncondensable gases, as discussed above. However, a certain amount of deleterious material is present, usually amounting to a few parts per million of boron and ammonia. These form salts that persist in the condensate and are injected back into the producing reservoir, along with that fraction of condensed cooling water that is surplus to the needs of the plant. Consequently there is no release of either thermal waters or chemical contaminates into the surface waters or other usable water sources from the present production of geothermal energy.

Most of the potential hazards to the waters from the dry-steam geothermal operation occur during the development of the field, when drilling muds are required and construction upsets the normal water pattern of the area. With proper care these operations do not present an environmental hazard. And in any event, the hazard is brief and negligible compared to the hazards created by the extensive construction required by the competing power sources and more dramatically from mining, which must continue over the entire life of the nuclear or fossil-fuel power plant.

CONCLUSIONS

The environmental impact of any power-production system is reflected in the number and complexity of the steps in the fuel and production cycle. Because geothermal power plants utilize naturally occurring steam, they need no complex steam-generating equipment or extensive mining, processing, storage, or transportation facilities, as do other thermal power plants.

The chief impact from the use of geothermal power occurs during the period of development of the field and construction of the steam-gathering lines and power plants, but the impact is limited to the area of the field and poses nothing like the vast disruptions of the landscape concomitant with mining the fuels for other thermal power plants. During the productive lifetime of the geothermal field, which can extend over many decades, most of the area can be used for other purposes. At Larderello, for example, where natural steam has been used to produce electricity for 60 years, farms, orchards, and vineyards cover much of the land surface.

Natural steam does contain a small percentage of noncondensable gases that are vented to the air. But compared to the amounts dissipated by fossil-fuel plants, these gases—mostly carbon dioxide but also nitrogen, hydrogen, methane, and hydrogen sulfide—are minor. Compared to the total gaseous release from all steps in the nuclear-fuel cycle, the overall volume and toxicity of gases from the geothermal plant is, again, minor.

Dry-steam geothermal developments pose no hazard to water supplies. Moreover, dry-steam and flashed-steam power plants supply their own cooling water by condensing their steam, and are therefore independent of the sources of condenser cooling water that are needed by other types of thermal plants. Hot-water geothermal systems will have an effect on the waters, but in most cases it will be to bring into use waters that are below the economic drilling depths of water that is currently in use, or to upgrade the quality of currently unusable waters, thus making these waters themselves a valuable resource. The multi-purpose development planned in the Salton Sea region is an imaginative scheme that could well be duplicated in other areas.

The simplicity of the geothermal-steam cycle enhances its reliability, another factor that needs to be considered when assigning priorities of development. Because the geothermal-power cycle is self-contained, it needs no outside support to maintain the production of electricity; there are no railroads or mines or complex processing facilities to be put out of service by a strike or natural catastrophe; and the reliability of nature's own boiler is paramount.

GEOTHERMAL POTENTIAL IN OREGON

(By Richard G. Bowen)

I am sure that most of the people in the audience here today have heard it said that geothermal energy is in the same stage of development as the oil industry was a hundred years ago. That just isn't true, we know a great deal more about the earth, its processes and resources than we did a hundred years ago, or even 20 years ago. We have had many years of experience in the production of geothermal resources, some experience in exploration and a very large background of exploration experience in searching for petroleum, techniques that are really quite similar to exploring for geothermal fluids.

There is also a widely publicized opinion that geothermal resources are limited to a few places—mainly those areas where it is being produced today. Actually, geothermal resources can be expected to be present under large segments of the earth, and will be found under many conditions, just as oil and gas, uranium, and many other minerals that were first found under certain geologic conditions were later, when new ideas came to bear, found in areas never before considered to have potential. The presence of usable geothermal energy depends upon the presence of three things: heat, water, and a geologic trap which consists of relatively impermeable rocks overlying a more permeable reservoir rock. None of these three things are particularly unique. We know that underlying about a quarter of the earth's surface, high temperatures will be encountered whenever you drill a few thousand feet, and in many regions these high temperatures have been found at much shallower depths. Many competent scientists have made calculations of the amount of heat in storage in the first few miles of the earth, and one thing they all agree on is that amounts are far greater than all the heat stored in fossil fuels and fissionable materials combined.

There is an assumption that the so-called "dry steam" or vapor-dominated fields are unique, but it is these "dry steam" fields that are producing most of the geothermal energy in use today. They are only unique in that successful oil and gas wells are also unique—there are many more dry holes scattered over the world than there are successful wells, and it is necessary to drill dry holes to gain information to find the productive one. Most of these geothermal exploration wells that are drilled near hot springs find hot water, so the natural assumption is that there is a great deal of hot water—and I will agree. But it is the steam wells that are the prize and our efforts should be devoted to finding them.

I sometimes wonder what would have happened a hundred years ago if our ancestors, upon the discovery that many more holes were barren than were capable of producing oil or gas, had gone to the government to ask for funding to somehow extract energy from the dry holes rather than pressing on to explore new areas.

You will hear divergent ideas from geothermal "experts". One says there is a tremendous amount of energy in hot dry rocks and in the vast reservoirs of hot water that could be utilized if research and development could be brought to bear on the problems. The other group says that a certain percentage of the geothermal fields will contain dry steam that can be utilized very well by the present technology—if we have land upon which to explore and customers who say they will purchase the steam when it is found. If industry has those two necessities, land and a customer, we will have the development of geothermal resources. I would support the need for studies of "hot dry systems" and hot water systems, but it is the desirable "dry steam" systems that our major effort should be devoted to developing.

But, let's get on to the area under consideration today, Oregon. We are right in the heart of the "Ring of Fire" that surrounds the Pacific Ocean, and we have extensive evidence there is much heat underlying the eastern two-thirds of the state. How is this energy localized to get useful quantities? Basically, the heat energy is transferred to water, and when it is restrained from its normal upward movement a geothermal system is developed.

The question we all want answered is how many and how large are these geothermal systems. Using knowledge of geothermal systems found in other areas and applying the techniques for estimating resources developed in the petroleum industry, I believe it is reasonable to expect that something in the neighborhood of 20,000 megawatts of dry steam will be found during the next 15 to 20 years in Oregon. For those of you who are not too familiar with numbers relating to electrical capacity, that is about the present capacity of all the hydroelectric power plants in the Northwest, or another comparison would be 20 Trojan nuclear power plants. That is a lot of power, and it would supply our increasing needs for many years.

To explain how I developed this number, I am basically using the petroleum industry's technique for estimating resources in unknown regions from experiences in known regions. We know that Oregon has in the neighborhood of 200 hot springs and wells. I believe these could easily represent 100 separate geothermal systems. So far, world-wide experience shows that one out of eight, or about 12%, of these are "dry steam" systems which can be developed with present technology. If only a quarter of these systems are the size of the The Geysers steam field, that alone could account for 10,000 to 12,000 MW. If the other three-quarters of the fields are from a quarter to a tenth the size of The Geysers, another 8,000 to 10,000 MW could be expected.

For those of you who think that geothermal power is only a small thing, take another look at The Geysers. You will see that although only a small part of the field is under development, PGE has scheduled 1,000 MW to be in production by the next four years. The original estimates of a capacity of 200 MW for The Geysers have been scaled up to between 3,000 and 5,000 MW.

Since Dr. Cortez is going into the subject of the costs of producing geothermal resources I will try not to overlap, but I will go into costs of exploration and development, or what it takes to deliver the steam to the plant. Again, it is possible to apply the well-developed technology of the petroleum industry because the exploration techniques are nearly identical. The first cost is to develop some prospects, and you can do that by hiring geologists, geophysicists, and geochemists and getting into the exploration business yourself; or you can form joint ventures with brokers, independent exploration companies, or development companies who are looking for partners. Your costs here to develop a prospect will range from a minimum of $50,000 up, but $250,000 is probably a reasonable figure for 2,000 to 20,000 acres,

enough to be considered a good prospect. You had better plan on at least two wells to evaluate the prospect, and these in the neighborhood of $350,000 each. This means you have spent a million dollars to put together and evaluate a prospect. If you evaluate ten of these prospects, you should expect to have at least one and possibly two geothermal fields. That amounts to 10 million dollars and a lot of money, but let's put it into perspective. If you spend 10 million dollars before striking usable steam, then your exploration costs, assuming they are amortized at 15% per year, for a 1,000 MW field would be 0.187 mills/kwh. Not a very significant figure when you consider fuel costs have been escalating at 1 to 2 mills per year. From the experience at The Geysers, in order to produce sufficient steam for your 1,000 MW plants, (and this would probably consist of a mix of 100 and 200 MW stations) you will have to drill 150 to 175 wells at an average of $150,000 each for a total investment in wells of about $25,000,000. Steam transmission lines would be expected to be another $15,000,000, roads and landscaping $5,000,000. By this time there would be a total investment of about $55,000,000 in the field.

Amortized at a rate of 15% a year, you would have fixed charges of $8,250,000 per year. Royalty to landowners at 0.5 mills/KWH would be $4,000,000 per year, and $5–6,000,000 would probably be necessary for field operating and maintenance costs. That gives a total energy cost of about $17,000,000–$18,000,000 a year at 8,000 hours of operation a year; this amounts to between 2.2 and 2.5 mills/KWH.

The following tables show the costs for developing the steam field (Figure 1) and the costs of steam per kilowatt hour of electricity produced (Figure 2).

Figure 1: Total steam costs, 1,000 MWe geothermal field

Exploration	$10,000,000
Developmental wells (150–175 wells at $150,000)	25,000,000
Steam transmission lines (at $15/KW)	15,000,000
Roads, landscaping, et cetera	5,000,000
	55,000,000

Figure 2: Steam cost per KWH, 1,000 MWe geothermal field

	Mills KWH
Fixed charges: $55,000,000 at 15% = $8,250,000/year, $8,250,000/8 × 10^9 KWH	1.03
Royalties to landowners	.5
Field operating and maintenance costs, $5,500,000/8 × 10^9	.67
	2.2

PGE is currently paying around 3.5 mills at The Geysers, but I understand that new contracts are being negotiated in the range of 5 mills for steam delivered to the power plant.

The question I find most frequently asked by those not familiar with geothermal development is, "what is the life of the field?". That can be best answered by explaining what we know about geothermal fields from experience developed in petroleum reservoir technology. That is, that steam in the reservoir behaves just as do other natural gases—according to well known physical laws. To give you an example, at The Geysers the biggest problem faced by the developers was to prove there was sufficient steam for PGE to amortize their plants over the normal 30-year period. The early practice was to drill all the wells necessary to supply the proposed plant and run lengthy tests to see how much draw-down was caused by the freely flowing wells. The result of this practice was to show steam performed quite similar to natural gas, and this practice is no longer being followed. The procedure now is to drill two wells in the region where a new plant is planned, and from that the size and character of the reservoir can be ascertained. This method has been much more satisfactory to the producers, as they do not have their capital tied up in many wells awaiting construction of the plant, but can start drilling production wells while the power plant is under construction.

Experience has shown that the wells do decline with time but that the individual wells last 10 to 20 years, and when production declines to the point that they can no longer produce all the steam required by the plant, new wells are drilled between the original ones, thus restoring production. It is now the practice at The Geysers to drill wells on a 40-acre spacing with the intention of filling in as production declines. All of the work to date shows this decline is predictable and the fields will last long enough to allow amortization of the plants.

In closing let me emphasize what has to be done to get geothermal developments underway:

1. Federal lands must be made available at reasonable terms. By reasonable terms I mean with conditions and costs no more restrictive than those for other fuels—oil and gas, coal, and uranium. It is the vast acreage of Federal lands in southeastern Oregon, Nevada, and the other western states that will ultimately contain most of the geothermal resources. It is possible to start exploration on available private and state acreage, but if geothermal resources are to provide significant power, the Federal lands must be available.

2. Power companies and heavy power users must encourage developers by either assuring them a market or in joining with them in joint ventures. The old disclaimer that geothermal power is so far away from load centers as to make it uneconomical just isn't true—especially with the Bonneville grid to wheel it around the system.

3. For those of you who are interested in getting the most favorable costs for your customers, joint participation in searching for dry steam is still the most attractive economically and environmentally and can be brought on the line rapidly with today's technology.

4. Finally, you will never have a more reliable power source than nature's own boiler. It is not affected by labor problems, transportation breakdowns, vagaries in the weather, foreign political influences, nor natural catastrophe. The reliability of nature's own boiler is paramount.

IMPROVING FEDERAL REGULATION OF FUTURES TRADING

Mr. McGOVERN. Mr. President, Members of this body and Members of the House are actively working on legislation which would change the method of Federal regulation of commodity exchanges.

I have introduced legislation which would create an independent, five-member Commodity Exchange Commission with expanded regulatory powers, and I am currently working on a number of improvements in that bill.

Two newspapers in my State have commented editorially on the need for firmer regulation of trading on commodity exchanges. On November second, the Madison Daily Leader endorsed the concept in an editorial entitled, "Regulating Commodity Markets." And on November fourth, the Sioux Falls Argus-Leader published a thoughtful editorial entitled, "Commodity Markets Need More Controls."

Mr. President, I ask unanimous consent that the texts of these fine editorials be printed in the RECORD.

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

REGULATING COMMODITY MARKETS

Sen. George McGovern has introduced legislation to tighten rules for commodity speculation in the U.S., saying that the exchanges are now largely self-governing and need more careful supervision.

We couldn't agree more. The futures markets allow wild speculation on slim margins, and wild swings of prices could leave a string of bankrupt traders and losses by farmers and processors.

There is a danger in all this, however, of taking a "cheap shot" at speculators and blaming rising or falling prices on them. On the contrary, speculators serve a useful purpose by making the futures market and hedging by farmers, ranchers and food handlers would be difficult if not impossible.

Our rising prices this summer were caused by increased demand, particularly foreign demand. The sharp drop of farm prices in October (the largest in 25 years and virtually ignored by the TV networks) is probably due to increased production.

Let's not make speculators the scapegoat for fluctuating prices, but let's make sure the commodity markets are carefully regulated.

COMMODITY MARKETS NEED MORE CONTROLS

Richard Wilson, the able Washington correspondent of the Des Moines Register, points out that the commodity exchanges of this country handle an annual business which is 25 per cent greater than the total transactions on the New York Stock Exchange.

Yet federal regulation of price hedging for future transactions is in the hands of only 160 people. Wilson says they "are presently so overwhelmed by the magnitude of the problem that they are finally confessing the truth to Congress."

Wilson makes these other points about the nation's commodity markets:

A few people or firms, sometimes as few as four, can get effective control of the entire market in some major commodity and send the prices skyrocketing.

The market is subject to foreign invasion on a grand scale from governments with billions in resources to manipulate prices for what they want for their own advantage. The American consumer gets what is left at higher prices.

Four large grain concerns handle almost all of a multi-billion dollar export business, often huddling secretly with buyers from foreign governments in huge transactions the U.S. government knows very little about.

RED VERSUS YANKEE TRADER

Commodity markets have come in for a great deal of attention this year, in the wake of this country's huge sales of grain to the Soviet Union and Red China. In the case of the transactions with Russians, the Yankee trader did much better than his government. The Russians showed that communistic traders know their capitalism. American farmers didn't get the benefit of the higher prices in the initial transactions, and the federal government underwrote some of the costs of the grain with its subsidy payments.

Higher prices for grain are welcome news for South Dakota farmers, but their impact on livestock feeding when doubled or quadrupled, Wilson says, "eventually shows up at the supermarket in higher prices for beefsteak and for the myriad of food and consumer products made of wheat, corn, and soybeans."

NEW AUTHORITY SOUGHT

Congress is now holding hearings on legislation which would create a new independent

Commodity Exchange Authority. It would be similar to the Securities Exchange Commission for the stock exchanges.

The House Agriculture committee voted last week to develop legislation for a stronger Commodity Exchange Authority, but to leave over-all responsibility in the Agriculture Department. A bill introduced by U.S. Sen. George McGovern, D-S.D., calls for an independent Commodity Exchange Commission.

Wilson envisions a new commodity exchange authority as only the beginning of "a system of government and market control influenced by consumer and producer interests not only for food but other commodities such as lumber, plywood, silver, copper, and so on. Beyond that greater export control looms, and over all, steadily advancing government supervision of the marketing of the necessities of life."

No one seriously suggests that government controls of the stock exchanges are too tight to protect the public interest. Obviously, the government's supervision of commodity exchanges is hampered by lack of personnel and authority to do what is necessary to safeguard the country's and citizens' interests. Congress should do what is necessary to accomplish this.

More effective regulation of commodity exchanges by the federal government will help the entire public. But it should be of especial benefit to South Dakota and the nation's farmers in their newly-found prosperity of higher prices. It should help the farmer to realize a greater percentage of return from what he produces than he has obtained in the past.

SMALL BUSINESS ADMINISTRATION

Mr. JAVITS. Mr. President, as ranking minority member of the Senate Select Committee on Small Business, I am deeply concerned with recent activities within the Small Business Administration. I am informed that the Justice Department as well as the House Banking and Currency Subcommittee on Small Business chaired by Congressman STEPHENS of Georgia is currently investigating widespread allegations as to the misuse of various SBA lending programs; and that criminal charges may be in the offing.

These events are most deplorable. But I am convinced that with the cooperation of the SBA's Administrator and former Congressman from North Dakota, Mr. Thomas Kleppe, the Department of Justice and the House Committee will be able properly to investigate the allegations and if there has been any wrongdoing the culpable individuals will be brought to justice.

The concern I wish to express today, Mr. President, is also a concern for the thousands of honest and loyal SBA employees throughout the United States whose continuing efforts seem somehow to be overshadowed by these revelations. Administrator Kleppe has expeditiously handled the developing situation since it was first brought to his attention in October of this year and his turning over the pertinent files to the Justice Department. Furthermore Administrator Kleppe has expressed a strong desire to testify before the investigating House committee to clarify the factual situation surrounding the allegations, most of which have appeared in the news media in this area. I note that just yesterday, in an effort to avoid possible aggravation and embarrassment to the agency, Administrator Kleppe reassigned the Philadelphia regional director and the Richmond, Va., district director to the Washington SBA office.

But the most imminent crisis is not that faced by employees of the SBA, not even those charged, but by the hundreds of thousands of small businesses throughout the Nation which without the aid provided through the SBA may not be able to survive.

Mr. President, the SBA which just this past summer celebrated its 20th anniversary, has an important responsibility in meeting the needs of the small business community. Small business comprises over 90 percent of our business in the United States, accounts for nearly 40 percent of the gross national product and provides over 50 percent of the jobs in our Nation's economy. The concern I express today is for those like the small retailer in New York City, the wholesaler in Colorado, the struggling electronics manufacturer in California and the growing construction firm in Omaha. My concern is that these firms and others like them throughout the Nation are dependent upon the SBA for their survival.

We here today, Mr. President, find this Nation in the midst of a major energy crisis. At a time like this it seems unthinkable to me that small businesses should be placed in the untenable position of not being able to call upon that Federal Agency that is capable of providing the assistance they need and have come to depend upon.

Mr. President, Members are aware of the many programs administered by the SBA. They not only include direct lending, bank guarantees, bonding guarantees, lease guarantees, and economic opportunity loans but also the full range of services including the licensing and regulation of small business investment companies, the issuance of certificates of competency, and providing technical and management assistance to small businessmen located throughout the United States.

Mr. President, recently the Senate by an overwhelming majority passed a bill to increase the SBA ceiling by $2.3 billion, from $4.3 billion to $6.6 billion. That bill now is on the table in the House Small Business Subcommittee. I am led to believe that our colleagues in the House of Representatives may wish that bill to remain in committee until the pending investigations are concluded. If my understanding of the pending allegations and current investigations is correct this may take several months.

I hope, Mr. President, we will not let this agency, which has and continues to serve this vital segment of our business community, cease its major operations while we consider the culpability of persons in the agency. I commend my colleagues in their investigatory effort and I do not mean in any way to minimize the allegations but it is simply too dangerous to the small business community and the SBA to hold the necessary ceiling increase hostage pending the outcome of the investigations currently underway and I feel my colleagues will give this state of facts their every consideration.

VIETNAM VETERANS NEED HELP

Mr. BIDEN. Mr. President, prevailing congressional sentiment has suggested that the benefits available to Vietnam do not compare favorably to those granted earlier veterans of armed conflicts. Veterans' Administrator Donald E. Johnson, at the request of Congress, commissioned a study that was designed to enable comparison. The results of the study conducted by the Educational Testing Service—ETS—are now available, and, unfortunately, confirm congressional fears. The ETS report depicts the dismal situation of today's veteran as compared to his father. At one point in the study, ETS reports:

> The five-fold increase in the average tuition of a four-year private institution by 1973, coupled with the costs of books and supplies, requires the Vietnam veteran with current benefits of $1980 to raise an additional $136 just to meet educational costs—leaving literally nothing for subsistence.

Mary McGrory, writing in the Boston Globe on September 24, 1973, discusses veterans' benefits and the results of the Educational Testing Service's study. As Ms. McGrory concludes:

> The hope that the veterans will receive at least the benefits being promised those who join the volunteer army rests probably with the veterans in Congress, those who . . . remember that it was the GI bill that made it possible for them to get where they are today.

The apparent disregard for veterans has been exhibited in the past by the VA's attempt to reduce compensation ratings for specific disabilities. Although this proposal generated sufficient public reaction to compel the VA to retract its statement, it has become apparent that Vietnam veterans are being shortchanged in other areas as well. Armed with the initiative of the spring and with the concrete data provided by the ETS, I hope my colleagues will continue the attempt to provide the Vietnam veteran with comparable benefits, enabling him to receive the best education those he defended can afford.

Mr. President, I ask unanimous consent that the full text of Mary McGrory's article, "When Less Is Not More for Veterans," be printed in the RECORD.

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

WHEN LESS IS NOT MORE FOR VETERANS

(By Mary McGrory)

WASHINGTON.—Veterans Administrator Donald E. Johnson faces the unhappy task tomorrow of explaining to the House Veterans Affairs Committee a study which refutes the familiar Nixon Administration contention that "less is more" in the case of Vietnam veterans.

The study is one that Johnson commissioned at the behest of Congress, some of whose World War II veterans suspect that the "nothing-is-too-good-for-our-boys" philosophy that enfolded them on their return from battle has been seriously eroded by the budget-balancers.

The Educational Testing Service, a Princeton, N.J., organization has told Johnson the "real value" of the education allowance available to veterans of World War II "was greater than the current allowance being paid to Vietnam era veterans." Johnson insists that today's benefits, based on the Con-

sumer Price Index, are comparable to those of other days.

A special Veterans' Opportunity Committee, which conducted hearings under the auspices of the League of Cities and the US Conference of Mayors, advocates that the GI Bill be rewritten so the government pays 80 percent of all tuition and fees and makes separate subsistence payments of at least $220 a month.

"It might cost a billion dollars," says VOC Chairman Rep. Silvio Conte (D-Mass.), who got his entire education under the World War II bill. "But what if it does? I remember those annual appropriations of $25 billion every year for the war. Nobody called them inflationary."

The Educational Testing Service report gives a somber picture of today's veteran as compared with his father.

"The five-fold increase in the average tuition of a four-year private institution by 1973, coupled with the cost of books and supplies, requires the Vietnam veteran with current benefits of $1980 to raise an additional $136 just to meet educational costs—leaving literally nothing for subsistence," the study says.

The Vietnam veteran's disability must be rated at 30 percent or more to qualify for benefits, the ETS report points out. Nor is he eligible for VA loans to enlarge or establish a business, as were earlier veterans.

The World War II veteran got special preference in housing under a Federal emergency housing program. "The present Administration has suspended or cut back on all Federally supported housing projects—adversely affecting those in need of housing," the ETS says.

As for those special programs to meet the "remedial and motivational needs" of the unemployed or underemployed Vietnam era veteran, some 40,000 were served by some 67 programs during fiscal 1973. "These programs are expected to terminate in June 1974 under Administration budgetary plans," the study adds.

The Nixon Administration's abandonment of the "grateful nation" concept while denying it, is largely possible because the country wants to forget about Vietnam. And the more crucial problem is that the Vietnam veterans do not have a lobby. The older veterans' organizations have attracted few members from this war. They support increased benefits, but out of pity.

The most visible Vietnam veterans group has been the Vietnam Veterans Against the War, which organized—not to get money—but to stop the war. The VVAW incurred the instant and undying hostility of the Nixon Administration when it camped on the Mall in 1971.

The hope that the veterans will receive at least the benefits being promised those who join the volunteer army rests probably with the veterans in Congress, those who, like Conte, remember that it was the GI bill that made it possible for them to get where they are today.

WILLIE MAYS: A BASEBALL IMMORTAL

Mr. BUCKLEY. Mr. President, a superb column written by Arthur Daley of the New York Times, Thursday, September 27, 1973, has recently come to my attention. It reminds us of the truly extraordinary baseball career of Willie Mays. This outstanding ballplayer has always had a special place in the hearts of New Yorkers, although he played for the San Francisco Giants for many years. He began his major league career in New York and it is fitting that he has chosen to end it there, where his skills have always been applauded by millions of fans.

Mr. President, there have been only a handful of individuals in any profession who have brought the kind of excellence, spirit, and sincere love of the game that Willie Mays brought to baseball. He is an incomparable figure in the history of American sports.

Mr. President, I respectfully request that this article be placed in the RECORD.

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

THE ECHOES ROLLED IN FROM THE PAST

(By Arthur Daley)

"The Willie Mays play I remember most," said Joe DiMaggio reflectively, "was the one that knocked Mickey Mantle out of the 1951 World Series."

It was a night for memories and they kept rumbling in like distant echoes from the past, the men and the events that provided flashbacks of illuminating glimpses of a spectacular career. This was fan appreciation night for Willie Mays, an occasion supercharged with emotion. This was an outward manifestation of the unashamed love affair that has lasted for 22 years between Willie the Wonder and the New York fans.

On hand to join in the tribute were such as DiMadge, Stan Musial, Bobby Thomson, Ralph Branca, Pee Wee Reese, Duke Snider, Vic Wertz and others. They dropped into the clubhouse before the ceremonies to visit the man of the hour and bid him Godspeed in his retirement.

"They sure bring back memories, don't they?" said Willie, holding court in front of his locker. No regal robes did he wear. He was clad only in his shorts.

There was a particular poignancy to the one that DiMadge evoked. The Yankee Clipper, always a perceptive man, had a better understanding than most of what Willie was going through because the incident he recalled had comparable status to the current situation, a superstar on the verge of retirement.

THE OVERLAP

"Not everyone remembers," said Joe, "that my career came to an end in that World Series. But 1951 was the year when both Willie and Mickey began their big league careers. At any rate this was about the middle of the second game. I was playing center field at the Yankee Stadium and Mickey was in right when Willie hit a ball between us.

"'Go ahead, Mickey. You take it,' I called out to him as we converged. Suddenly he went down as if shot. He had stepped into a drainage hole and wrenched his knee. Luckily, I was still close enough to make the catch, but poor Mick was out for the rest of the Series."

A beaming Vic Wertz, his bald head glistening in the lights, dropped by for a congratulatory handshake. In the 1954 World Series, Vic was the victim of one of baseball's greatest defensive plays when Willie raced to the distant bleacher wall, 450 feet away, and made an impossible, over-the-shoulder catch.

"I saw that play again on television the other night, Willie," said Vic, now able to laugh about it, "and I still can't believe my eyes. Every time I see it, you always catch the ball."

"Willie always seemed to catch the ball and hit it," said the suave Musial, an ardent admirer.

MAN WITHOUT A BAT

"Willie, you killed us too often for me to remember anything specific," said Reese, "although I guess the throw you made on Billy Cox had to be the best play I ever saw you make."

"I never can forget the first game we ever played in Los Angeles," said Snider, the erstwhile Duke of Flatbush. "It was the Giants and Dodgers again, but it wasn't the Polo Grounds or Ebbets Field. This was the Coliseum, a monstrosity, where the left-field wall pressed against the left fielder's back and the right-field fence was in the next county."

"I remember," said Willie, starting to laugh. "We took batting practice first and you fellas hadn't even seen the ball park. I kept saying, 'Where's the Duke?' I couldn't wait for you to arrive."

"You were so impatient," said the Duke, "you ran into the runway as we left the clubhouse and pointed to the right-field fence that wasn't even in home run range. 'Hey, Duke,' you said. 'They just took away your bat.' Damned if they hadn't. My homer total went from 40 to 15."

When Branca and Thomson dropped by, it almost seemed that Willie shuddered ever so slightly, as if trapped by another memory. As every schoolboy should know, Branca was the Dodger pitcher in the last inning of the last playoff game between Giants and Dodgers in 1951. It was Thomson who hit "the shot heard 'round the world," the three-run homer that gave the Giants a 5–4 victory and the pennant.

During that hysteria not many were aware of the fact that the Giant batsman kneeling in the on-deck circle was Willie Mays, a totally scared 20-year-old rookie. He didn't waste that kneeling time. He prayed. "Please God," he implored, "don't let me have to come to bat. Just make sure that Bobby hits one to end it for us." This just shows how enormous is the power of prayer.

No scared kid was Willie when he delivered his farewell talk on his night to remember the evening before last. He was a man of polish and distinction and dignity and eloquence. His baseball exit was an elegant one.

THE "SOUTH DAKOTA SATELLITE"

Mr. MCGOVERN. Mr. President, a recent article in the Farmers Union Herald, which has a wide circulation in the upper Midwest States, described the Earth Resources Orbiting Satellite program which is the center of attention in South Dakota.

The EROS Data Center of the U.S. Geological Survey is located near Garretson, S. Dak. This data center is the hub of a program which contains enormous potential for the United States in helping meet the world food challenge.

Because of the importance of this program, I ask unanimous consent that the article by Mary Ann Hanson from the November 5, 1973, issue of the newspaper be printed in the RECORD.

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

EROS

(By Mary Ann Hanson)

Planet Earth has a new library located in the rolling farmland just northeast of Sioux Falls, near Garretson, South Dakota.

It's known as EROS Data Center. Dedicated August 7, the facility, when fully operational, will house and process for public access countless photographic images of the earth's surface taken from satellites and airplanes. The facility also will provide a study center for world scientists.

EROS stands for Earth Resources Orbital Systems, a program under the Department of Interior designed "to inventory the earth's natural resources from space altitudes

through spacecraft systems," according to Don Orr, chief of applications assistance at the center.

Currently there's only one satellite providing a constant chronicle of the earth's happenings, another is planned in 1974 or 1975. ERTS—Earth Resources Technology Satellite—is an experimental satellite 565 miles high launched by the National Aeronautics and Space Administration in 1972. It circles the earth 14 times a day and passes over the same area every 18 days.

ERTS transmits its pictorial data back to three U.S. stations and one in Brazil. U.S. stations are the Goddard Space Flight Center in Greenbelt, Maryland; Gold Stone, California, and one in Alaska. The information is processed at Goddard, transported to EROS, stored and made ready for distribution around the world.

Geography is the biggest reason for EROS locating in South Dakota, says Orr, because the center eventually plans a receiving station of its own. Sioux Falls is "very close to the center of the conterminous U.S. so we can receive images directly over most of the land area."

Its rural location is to avoid electrical interference which would be a problem in an urban setting. Finally, says Orr, "the people of South Dakota gave a lot of support and participated in raising funds and making land available to us." The building is owned by the Sioux Falls Development Foundation and leased to EROS.

While the program is still in largely experimental stages, expectations for it are high. Among agricultural applications of the data, Orr lists monitoring crop production and stresses, locating ground water, flood prevention and monitoring pollution.

Using the satellite for inventorying crops would provide a more accurate overall picture, he feels. In South Dakota this year, for instance, "there were areas heavily stressed due to drought. You can report this through conventional means such as the weather service and ACS, but you can't put axact boundaries on it."

With EROS data, "we could say, 'Here's an area of 200 square miles where the production is going to be down because of drouth.' Then this would be used to modify the estimates of production. Maybe then," he adds, "we wouldn't get into another wheat deal like we did."

Digging test wells for ground water can be an expensive undertaking for farmers. Orr says, however, that a satellite image of a particular area in the hands of a competent hydrologist or geologist could indicate likely spots for wells. In like manner, exploration zones for other natural resources—oil, copper, gold, silver, uranium—can be indicated by study of an area's geological formations.

It's a matter of "knowledge of earth processes and identifying certain geological patterns," he says. The information is there on the pictures, it just has to be extracted by the human interpreter.

ERTS was used to keep track of the Mississippi flood this spring and, according to Orr, research is currently going on at the state level in western South Dakota on surface runoff and drainage problems. "We don't want to stop rain," he says, "but perhaps through these types of studies, runoff can be controlled at various points to prevent major reservoirs filling up. Farmers who operated along the middle and lower Mississippi Valley lost tremendous amounts of money in the flood. There's a fairly good system of reservoirs clear up to the head of the Mississippi Valley—it was just one of those situations where more precipitation runoff occurred than the reservoirs could handle."

Scientists are currently working on ways of utilizing ERTS data in agricultural and forestry problems. "We've got a long ways to go," says Orr, "but I think eventually we'll get a handle on this research."

ERTS also has great import for lesser-developed countries. This June, Orr conducted a two and a half week training session for 28 people representing 11 foreign countries.

Five were from Afghanistan where now "they're very short on foodstuffs," said Orr. "One of their natural resources they'd like developed is agriculture." And that means the location of water supplies.

So much time was spent in teaching the team to identify ground features that would indicate likelihood of water. "If nothing else," he says, "it's good just for them to make maps that show where there's hard rock, drainage and wind-blown sand. People in lesser-developed countries may know a lot about their local area, but very little about their whole country." Arranging satellite images into a map of the whole country creates "a very powerful tool for planners at the national level" concerned with decisions such as where to place roads, for example.

There are many areas in which ERTS data is applied. In the lobby of the new, modern, three-acre building, a series of panels depict uses already being made of the data. Among them—land use, urban expansion, crop conditions, natural resources, forests, water management, surface and near-surface mineral deposits, soil types, topographic features, geologic formations, water storage in snow packs irrigation, plant growth, air and water pollution, vegetation health, cloud cover, insect infestation, sea surface temperature, fish feeding areas and many others.

"There are so many areas that it's hard for our small staff to stay on top of it," says Orr. The nearly 100 employes are presently busy settling in the new facility after moving from their former, temporary headquarters in downtown Sioux Falls. Once that is completed, the staff should grow to about 150, he says. As demand for imagery and data grows, the number could climb to full capacity of 500.

Currently, some 600 orders for data are processed each week. This is expected to increase to almost a million copies per month as EROS begins to receive Skylab data for distribution. Primary area in the center is, therefore, the photo lab, which has been described as "the cleanest, most efficient and largest photo lab in the civilian sector of government."

The other arm of EROS is professional services, Orr's department. This department's function is to keep an eye on the uses being made of the imagery and to train people in those uses. "We don't ever envision a large, permanent staff here," he says. "We'd rather have visiting scientists work with us here for a year at a time—scientists not only from the U.S. Geological Survey, but other government agencies, private citizens and even foreign scientists.

"We will provide office space, equipment and will support them any way we can," Orr says. "What we ask then is the results of their studies so we can keep our training up to date."

The scientific community is just becoming aware of the possibilities in space photography, he says. "That's why we're having such a large demand for training."

GERALD FORD SPEAKER AT TESTIMONIAL DINNER FOR REPUBLICAN LEADER HUGH SCOTT

Mr. SCHWEIKER. Mr. President, on Monday, November 5, 1973, the distinguished Senate Republican Leader HUGH SCOTT, was honored in Philadelphia as the recipient of the 1973 Pennsylvania Distinguished Republican Award. It has been a privilege for me to serve as a colleague from Pennsylvania with the Republican leader. He has been a leading Republican in Pennsylvania and the Nation for many years, and is highly deserving of this award and recognition for his service.

The principal speaker at this testimonial dinner was the Republican leader of the House of Representatives and Vice-President-designate, GERALD R. FORD. He praised Senator SCOTT for his long-time dedication to human dignity and human rights. He also addressed himself to the question of his own responsibilities if he is confirmed as Vice President.

Mr. President, I believe Congressman FORD's comments will be of interest to all my colleagues, and I request unanimous consent that his remarks be printed in the RECORD.

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

REMARKS BY VICE-PRESIDENT-DESIGNATE GERALD R. FORD

In twenty-five years in the United States Congress you go to a lot of testimonial dinners. It's an unofficial part of the job, and a part that I have always enjoyed.

For a quarter of a century now, I have worked with the men and women of the United States Congress and my respect for my colleagues has grown—not diminished—with the passing of time. So this kind of gathering, paying tribute to an honored public servant, is always a pleasure.

Tonight, however, is something special—something more than the usual opportunity to offer some well-earned praise to an honored colleague.

This evening is unique because the man we honor this evening is himself unique. His learning, wit, intellect and dedication make him so, as well as his remarkable record of public service—a record unequalled in the annals of this proud State of Pennsylvania.

For over thirty years Hugh Scott has given his State and his country the two things they need the most—able leadership and unquestioned integrity.

In the process, because of our shared responsibilities as the minority leaders of the Senate and the House, he has also become a man I am proud to claim as a valued personal friend. Hugh's advice, his encouragement, and his unfailing good humor have helped us both through a lot of tough decisions and a lot of important work for America.

Besides, he is the only man in the United States Congress you can go to for really knowledgeable advice about Chinese Art.

Another of Hugh Scott's unsung virtues is his pioneer work in making the moustache respectable in modern American politics. After Tom Dewey lost the presidential race for a second time in 1948, the moustache fell into a long decline. Only Hugh Scott stood between the moustache and total political oblivion. In those days he was a prophet without honor.

Today, thanks largely to Hugh, the moustache has regained respectability and has reappeared along with sideburns in both Houses of the Congress. I call it the graying of America.

When historians look back on the troubled years of the mid-twentieth century, they will remember our guest of honor tonight as the man who made the moustache safe for democracy.

In a much more serious vein, there is something else that Hugh Scott pioneered for which posterity will be eternally grateful. Long before most people had given a thought to the whole civil rights issue, Hugh Scott was fighting vigorously for the cause of human dignity.

As a crusading Philadelphia district attorney, Hugh Scott championed the rights of

Italian Americans, black Americans and other minority groups decades before civil rights had become a fashionable cause or a political asset.

What Hugh did, he did out of compassion and belief in human dignity. And those for whose rights he fought have not forgotten him, as I can see from looking out into this audience tonight.

I don't think there is another man alive today, in or out of the Congress, who has done as much for the advancement of human rights—the fundamental liberties of all Americans—as the senior Senator from Pennsylvania, my friend Hugh Scott.

Nearly every civil rights bill that has passed the Congress since Hugh entered it carries his imprint. Millions of Americans today are at long last living their lives as first class citizens because this man of principle led the crusade for human dignity for more than a generation.

Speaking of justice and law enforcement, I happen to know that Hugh's advice also helped the President in his successful search for a new Attorney General of unquestioned ability and integrity, Hugh's colleague from Ohio, the Honorable Bill Saxbe.

If there ever was a man who tells it like it is, that man is Bill Saxbe. As Attorney General I am confident that he is going to do a great job helping to restore trust and respect to a shaken Justice Department.

This is the same task I have set for myself as Vice President. I hope to do my part in restoring the trust that our people once had and deserve to have again in the American system of government.

As far as I am concerned, this is the first order of business today for all of us—whether we serve as Vice President, Senate minority leader or a precinct chairman in Pennsylvania. And I deeply believe that, if we all pull together, we can and will do it.

In his farewell State of the Union Address a great adopted Pennsylvanian by the name of Dwight Eisenhower left us a prayer—a prayer that all Americans can share, especially at this troubled time.

"Let us pray," Ike said, "that leaders of both the near and distant future will be able to keep the nation strong and at peace, that they will lead us on to still higher moral standards, and that, in achieving these goals, they will maintain a reasonable balance between private and governmental responsibility."

As we look at the world today—and I realize that you have to pierce through a lot of immediate gloom to do so—but if you do look at the broader picture today, you see that part of Ike's prayer has already been answered.

For despite some very sore testing, our leadership—President Nixon's leadership—has kept America strong and restored the peace. Not only that, but for the first time in living memory, we can actually look to a future in which a full generation of peace is no longer an empty dream but a potential reality.

This is no small accomplishment. In fact, it is an accomplishment that, like our guest of honor tonight, is unique. And our guest of honor had a lot to do with it.

For without the support of men like Hugh Scott, President Nixon could never have achieved his great breakthroughs for world peace.

Working together, the President and men of conscience and ability in the Congress have accomplished this great work.

A new chapter in the search for peace was written just a few days ago, when for the first time in the long and bitter history of the Arab-Israeli conflict, both sides agreed to direct talks—the kind of talks that may eventually remove this menace to world stability.

This is a record that we can be proud of as Republicans and as Americans.

I recognize this, you recognize this, and I believe that most Americans recognize this. But we also realize that, today as never before, we face another problem—the problem of morality and standards that Ike addressed himself to in the second part of that prayer of his.

Rightly or wrongly, a cloud of doubt hangs over Washington as we are gathered here this evening. It is a cloud that must be cleared away for the sake of our country.

The question is, how do we do it?

I am sure no one expects an easy answer to that question. There isn't one. But I would like to suggest an answer that flows from my own experience.

Last Thursday I appeared before the Senate Committee on Rules and Administration, which was inquiring into my fitness to be Vice President of the United States.

In making my opening statement to the committee, I said: "Truth is the glue that holds government together, and not only government, but civilization itself."

I believe that most deeply. Truth is a tie that binds human beings together in a drive toward noble goals, and truth is the bond that links people to their government with feelings of faith and trust.

Without that bond of faith and trust, government cannot function. And so today there is an urgent need for all Americans to rededicate themselves to truth, and to honesty and to fair dealing and to plain speaking.

I have always felt that if you communicate with the American people and—to employ a cliche which everyone understands—lay the facts on the line, they will respond and the country will move forward.

This is the important ingredient in the glue of truth—that we communicate with one another, with complete candor and openness.

My experiences since being nominated for the Vice Presidency also compel me to make some comment about the ladies and gentlemen of the press.

A number of investigative reporters have been digging to see if they can find anything in my past conduct which would tend to disqualify me for the high office of Vice President.

I do not object to this. That is their job, and they should do it the best they know how. They are seekers after truth. They are motivated by the same emotions that inspire the rest of us—love of country and dedication to what's right.

Last weekend the Washington Post failed to publish because of a printers' work stoppage. I keenly missed reading my Washington Post. The experience brought freshly to mind the comment made by Thomas Jefferson in a letter dated Jan. 16, 1787, a letter which rings with just as much wisdom now as then.

"The basis of our government being the opinion of the people," Jefferson wrote, "the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter."

There are times, of course, when newspapers engage in an excess of zeal. So, too, do members of the Congress. In this highly charged and emotional atmosphere of the moment, it is the duty of all Americans—particularly those in public office and those in the news media—to exercise the utmost caution. Those of us in these honored fields of endeavor have a special responsibility.

To preclude a breach of that trust, self examination is helpful. That is exactly what I engaged in last week as I was preparing for my confirmation hearings. As a result, I said to the committee: "I am not a saint, and I'm sure I have done things I might have done better or differently or not at all. I have also left undone things that I should have done. But I believe and hope that I have been honest with myself and with others, that I have been faithful to my friends and fair to my opponents, and that I have tried my best to make this great government work for the good of all Americans."

That is what I will continue to do if the Congress sees fit to confirm me as Vice President—join hands with Republicans and Democrats of good will to make our great government work for the good of all Americans. I will work for a new spirit of cooperation between the White House and the Congress, and for a rededication to truth on the part of all Americans.

My job—hard as it is going to be—will be made a lot easier thanks to men like Hugh Scott, this man of conscience, this man of conviction, this man of conciliation.

Hugh Scott doesn't like labels very much, and I agree with him. Labels tend to limit people, to force them into narrow corners and artificial categories. But there is one label Hugh has never rejected—the label of moderate. Always, he has been a moderate in the best sense of the word—a man of moderation and fairness, a man with a fierce sense of justice and an equally strong spirit of conciliation.

That is what makes Hugh Scott an outstanding Republican, not just this year, but every year. And that is why I consider it a special honor to be a part of this tribute to him tonight.

DR. MARCUS A. FOSTER

Mr. TUNNEY. Mr. President, the city of Oakland is commemorating the life of Dr. Marcus A. Foster, superintendent of schools and the Oakland School District. The entire community was shocked and saddened last week of the senseless killing of this outstanding educator and administrator.

Dr. Foster was admired by all for his steadfast dedication to the youth of the Oakland area. I have been deeply impressed personally by his sensitivity, commitment, and ability to bring the east bay communities together.

He will be sorely missed by those not only in the field of education, but also in numerous other fields where his skills as an educator and leader were utilized.

I hope his tragic death will serve as a reminder that the education of our youth is vital to bring about the kind of society for which Dr. Foster stood—a society in which these acts of violence will not occur.

AIR FORCE ASSOCIATION—MAXWELL A. KRIENDLER

Mr. JAVITS. Mr. President, the September issue of Air Force magazine, the official publication of the Air Force Association, took notice of the 26th anniversary of that organization. Sadly, the anniversary issue also noted the passing of Maxwell A. Kriendler, was a founder and the first president of the Iron Gate Chapter of the Air Force Association and known to a host of New York national and world figures as the "Mac" of "21." One of the outstanding chapters of the Air Force Association, the Iron Gate Chapter contributed hundreds of thousands of dollars to charities in large part due to the energy and compassion of Mac Kriendler. Mr. President, I ask unani-

mous consent that a most deserving tribute to Mac Kriendler be printed in the RECORD.

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

MAXWELL A. KRIENDLER

The Air Force Association is young as organizations go, and time has thinned its ranks but little. Hence, when any stalwart falls he leaves a bigger than ordinary gap. The phenomenon is compounded when the man himself is extraordinary—when he is Mac Kriendler.

Maxwell Arnold Kriendler died in New York City's Mt. Sinai Hospital on August 7, 1973. He had been grievously ill with cancer for the past two years, although the proximate cause of death was pneumonia. He was sixty-five.

Those are the bare statistics. Behind them lie a complicated, warmhearted, generous person who gave more to each of the three enthusiasms in his lifetime than the average man is able to devote to one.

Enthusiasm number one—his business life, in which family, social, and personal relationships were inextricably entwined. It centered around the best-known restaurant in the country, the "21" Club, at 21 West 52d Street in New York—an internationally known watering place that began as a speakeasy, under the aegis of Mac's late brother, Jack Kriendler, and their cousin, Charlie Berns. Mac joined "21" in 1929, following graduation from St. John's Law School, and served as its president from 1947 to 1955. In that year, he moved next door as president and treasurer of 21 Brands, a liquor distributor and importer of, among other fine spirits, Ballantine's scotch and Hines cognac. He later served as chairman of its board.

Enthusiasm number two (only Mac could have said what should be the proper order)—the United States Air Force. The "21" Club is full of souvenirs of the Air Force, in which Mac rose to the rank of lieutenant colonel during World War II, being discharged in 1945 as chief of management control, Eastern District, Air Technical Service Command. He remained active in the Air Force Reserve and retired as a colonel in February 1968. Associated decorations include the Exceptional Service Award, highest civilian decoration of the Air Force, Legion of Merit, and Air Commendation Medal.

Enthusiasm number three—the Air Force Association, including AFA's Aerospace Education Foundation, the Iron Gate Chapter of New York, and the Annual Air Force Salute, sponsored by the Chapter. His service to AFA was endless and tireless. He was the first President of the Iron Gate Chapter when it was chartered on September 21, 1961. That same year he was elected to AFA's National Board of Directors, on which he served until his death, excepting only the years 1964–66. His tenth term in 1972 made him a permanent member of the Board. For nine years, beginning in 1965, he was a member of AFA's Finance Committee. He received AFA's Medal of Merit in 1961 and its Exceptional Service Plaque in 1962. In 1964, Mac was named AFA's "Man of the Year."

Also in 1964, he became a member of the Board of Trustees of the Aerospace Education Foundation, on which he served until his death. In 1966 and 1967, he was Treasurer of the Foundation.

Mac Kriendler—genial host, successful businessman, devoted Air Force officer, dedicated AFA leader—but most of all a generous and unselfish friend. His life was so full because he was so full of life. He will be missed but never replaced.

LAND USE LEGISLATION

Mr. MCGOVERN. Mr. President, I ask unanimous consent that the following article by Mr. Luther J. Carter in the November 16, 1973, issue of Science be printed in the RECORD. This very thoughtful and well-written article on land use legislation is timely, and provides keen insight into one of the major issues before the Congress.

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

LAND USE LAW—I: CONGRESS ON VERGE OF A MODEST BEGINNING

For nearly 4 years now, land use policy legislation has been gestating in Congress, and, if all goes as expected, it will be enacted into law by sometime early next year. The Land Use Policy and Planning Assistance Act of 1973, as the measure has been dubbed, is meant to add a major new dimension to the structure of environmental protection policies which has been emerging since the early 1960's. Indeed, there is scarcely any aspect of the problem of maintaining environmental quality—whether the trouble at hand be air pollution, water pollution, strip mining, promiscuous public works undertakings, or whatever—that can be coped with effectively in the absence of enlightened land use policies.

And, of course, such policies are concerned with much more than protection of the environment, for they have to do with the nation's physical—and hence social and economic—development. Although not resting on so broad a concept as "growth policy," land use policy will necessarily be a critical component of any strategy for guiding or redirecting patterns of growth. Therefore, few issues are more important, more complex, or more charged with political tensions than this matter currently before Congress of establishing a foundation on which sound land use policies can be built. Viewed against the magnitude of the problem addressed, the pending legislation represents a constructive but modest beginning.

Because this legislation hardly can be understood apart from the background of land use practices and planning in the United States, it is essential to examine that background.

The first zoning ordinance in this country was adopted by New York City in 1916 to prevent the garment district from expanding into the fashionable Fifth Avenue shopping area. Note well the negative emphasis here. The New York ordinance, which many cities would soon be following in letter or spirit, had to do simply with keeping what were deemed incompatible uses from occurring within the same area.

This ordinance and the subsequent trend of local zoning which it characterized represented a narrow, limited approach to regulating the use of land in the interest of environmental quality. The zoning official was, in effect, a policeman rather than the instrument of a policy based on natural and humanistic values which would not have allowed much of the urban setting to become a barrens of concrete and steel.

The local governments were, of course, creatures of the state governments, but during the 1920's the states began delegating responsibility for zoning to the municipalities. At the time, this was seen as a reform. The Standard State Zoning Enabling Act published in 1922 by the U.S. Department of Commerce—then headed by Secretary Herbert Hoover—served as a model. According to its terms, the local governments would assume the police powers necessary for zoning and other land use regulations and would not have to look repeatedly to rural-dominated legislatures for special acts. A state's enactment of the model law was then regarded by progressive-minded urbanites as an encouraging step toward "home rule."

BOOST FOR PLANNING PROFESSION

Land use planning as a profession received an enormous boost from the passage in 1954 of the Urban Planning Assistance Act that provided for the so-called "701 program" under which large sums ($100 million in fiscal year 1972 alone) of federal money have gone into state, local, and regional planning activities (with local and regional entities getting the great bulk of the money). Substantial funds for planning also have come from various other federal programs, and, at least in terms of the increase in numbers of planners and planning entities, progress has been spectacular. In the early 1950's there were fewer than 250 active planning professionals in the United States; by mid-1972, there were more than 6200. Furthermore, over the same period more than 200 metropolitan planning agencies were established and some 4000 comprehensive development plans prepared.

The proliferation of plans and planning agencies has not, however, resulted in a general reform of zoning and land use practices. Planning activities have generally been off in a corner away from the hurly-burly of the political process, whereas zoning has been in the thick of that process. Applicants for zoning changes and variances have often come on strong with campaign contributions (and sometimes outright bribes), together with the backing of banks, insurance companies, labor unions, and other local or outside interests having both a stake in the outcome and plenty of clout.

If in recent years some city councils, county commissions, and local zoning boards have been more resistant to such pressures, this has been due less to the influence of professional planners than to an increasing environmental awareness and militancy on the part of many citizens in states such as Florida and Colorado where the pressures of growth and development are intense. Further, it can be said that a strong "antigrowth" attitude among the citizens of a particular community may be no better justified than a recklessly permissive attitude, and may reflect no more favorably on the effectiveness and influence of established planning and zoning programs.

The current interest in land use policy is in part an outgrowth of what, in many places, is clearly a genuine land crisis. To be sure, there is anything but a shortage of land in the United States, taking the nation as a whole. But the year 2000 urban regions will, according to projections prepared for the Commission on Population Growth and the American Future (Table 1), cover some 487,000 square miles, as opposed to the 197,000 square miles contained within such regions in 1960. But this will represent only 16.4 percent of all land in the United States, excluding Hawaii and Alaska. Vast areas will remain thinly populated, and even the urban regions will not constitute a single supercity but rather—in the words of the Population Commission—"a regional constellation of urban centers and their hinterland."

Yet, while there is no general shortage of land, there is widespread abuse and misuse of land, both in urban regions and in regions still largely undeveloped. The several categories of problems resulting from such abuse and misuse include the following:

A decline of environmental quality within urban regions. "Urban sprawl" is one of the weariest of clichés, but the problems capsulized by this term are still very much with us and, in some places, become more aggravated by the day. New subdivisions are still often being built far beyond the reach of established urban services, in areas where efficient sewage collection and treatment are necessarily absent and where existing roads are inadequate to handle heavy new traffic flows.

Strip development along highways—a problem long recognized and long neglected—continues to occur, with the hamburger and fried chicken driveins, the pizza parlors, the used car lots and the shopping centers proliferating endlessly. The scarcity and hence the extraordinarily high value of sizable tracts of strategically placed undeveloped land in urban areas generates powerful economic and political pressures to convert such land to high intensity use even though the crying need may be for open space and public parkland (of this, the accompanying article about the controversy in Yonkers, New York, over a huge shopping center proposed for land owned by the Boyce Thompson Institute provides a prime example).

In general, the standards of urban development have been so lax and so uneven that many people have come to regard land development as just another form of pollution. For instance, owners of single family homes generally oppose the construction of high-rise, multi-family apartment or condominium buildings in their neighborhoods. They assume, often correctly, that the developer will try to maximize his profits by squeezing as many living units as possible onto the land rather than take advantage of the fact that, if properly designed, high-rise development can offer the distinct environmental advantage of allowing much of the site to be left as green space or as a neighborhood park. One can all too easily find examples of such problems as have been described here in practically any fast-growing urban region, whether it be the San Francisco Bay area, southern California, the Colorado Front Range, peninsular Florida, or the expanding metropolises of the East and Midwest.

Suitable and convenient sites for necessary utilities and public facilities are being lost—and environmentally unsuitable ones are still sometimes being selected. With foresight and planning on the part of public officials and utility executives the sites that will be needed for airports, highway rights-of-way, reservoirs, power plants, and so on, can either be acquired in advance or zoned for uses (such as farming or forestry) that will not preclude the eventual development there of the essential facilities. The fact is that such foresight generally has not been exercised, with the result that desirable sites are being preempted by housing or other forms of development that could just as well have gone elsewhere. Utilities have sometimes secretly bought sites against long-term needs, but, as repeated controversies over power plant siting have shown, there is no proper substitute for having the selection of such sites either made or ratified (and at an early stage) by public officials.

Just as appropriate sites for public facilities are often lost through lack of advance planning and zoning, the sites finally chosen and used for such facilities are sometimes highly inappropriate, at least from an environmental standpoint. A classic case in point was the Dade County (Florida) Port Authority's decision, joined in by the Federal Aviation Administration and assented to initially by officials of the National Park Service and a number of state agencies to select a 39-square-mile site in the Big Cypress Swamp for a pilot training facility that might ultimately become one of the world's great jet-ports. The controversy arising from that decision led in early 1970 to a demand by the Nixon Administration that the training facility be removed from the Big Cypress—with the result that now the jetport, if it is ever actually built, will (while avoiding the Big Cypress) intrude deeply into an Everglades water conservation area near Miami.

The jetport dispute was one of the more significant factors causing the President's Council on Environmental Quality to come forward in 1971 with a land use policy bill. This controversy was also among several disputes over the siting of major facilities which led Senator Henry M. Jackson (D-Wash.), chairman of the Senate Interior Committee, to begin work on such legislation in 1969.

Promiscuous development of vacation homes is causing degradation of wild and scenic areas that should be protected for general public benefit and enjoyment. Whether one looks to the Big Cypress Swamp in South Florida, the Adirondack Mountains of upstate New York, the coastal reaches of Maryland and Virginia, the alpine areas of the Rockies, or the deserts of New Mexico and Arizona, the land sales companies have been eagerly buying up land to be subdivided and sold on installment to buyers susceptible to high pressure sales tactics—and who may themselves be naive small-fry speculators. The growth of the land sales business has been astonishing; the total number of lots sold in 1971 (by some 10,000 subdividers) runs to an estimated 625,000. In Florida alone about 200,000 lots are registered each year with the state land sales agency, and, while some of the lots are in well-planned retirement home subdivisions, many are in places such as the Green Swamp and the Big Cypress, both being areas important for wildlife and for aquifer recharge.

Outright fraud is practiced by some of these purveyors of vacation home lots, with purchasers discovering belatedly that the lots probably can never be used, either because of inaccessibility or because they are in an area prone to flooding, mud slides, or other natural hazards. In other cases, the land can be used, but only after alterations—draining swamps, scarring mountainslides (with the deep cuts and fills necessary for road building), or filling coastal wetlands—that do severe harm to regional hydrologic and ecologic systems. Although it has proved a grossly inadequate remedy, the Land Sales Full Disclosure Act of 1968 was meant to protect the land buyer. Essentially nothing has been done to cope with the ultimately more serious problem of protecting the land itself.

TABLE 1.—POPULATION AND LAND AREA OF URBAN REGIONS, 1920 TO 2000

	1920	1940	1960	[1] 1980	[1] 2000
Number of urban regions	10.0	10.0	16.0	24.0	25.0
Population:					
Millions	35.6	53.9	100.6	164.6	219.7
Percent of total U.S. population	33.6	40.8	56.1	73.4	83.1

	1920	1940	1960	[1] 1980	[1] 2000
Land area:[2]					
Square miles	60,972.0	94,999.0	196,958.0	395,138.0	486,902.0
Percent of total U.S. land area[3]	2.1	3.2	6.6	13.3	16.4
Gross population density of people per square mile	584.0	568.0	511.0	417.0	451.0

[1] Based on Census Bureau series E population projection (based on a fertility assumption of 2.1 births per woman).
[2] Excludes urban region of Oahu Island, Hawaii.
[3] Coterminous U.S. excluding Alaska and Hawaii.

Source: Jerome Pickard, "U.S. metropolitan growth and expansion 1970-2000 with population projections," prepared for the Commission on Population Growth and the American Future at the Urban Land Institute, Washington, D.C., December 1971. [Reprinted with permission from ULI-Urban Land Institute, Washington, D.C.]

Prime farmland is being lost to development activities that could be required to use land of little agricultural potential. Statistics reported by the U.S. Department of Agriculture in its National Inventory of Soil and Water Conservation Needs, 1967 indicate that, as of 6 years ago, about 10 percent of the class I, II, and III land in the United States (land in classes IV through VIII is either marginal or useless for growing ordinary field crops) had been "built up" or otherwise converted to urban use. If, as prophesied by consultants for the Commission on Population Growth and the American Future, urban regions are to embrace more than twice as much land by the year 2000 as they did in 1960, the loss of prime farmland to development could increase correspondingly.

The modest loss of farmland to date has been far more than offset by increases in farm productivity resulting from improved seeds and other advances in agricultural science and technology. Yet, while the gains in productivity continue (though at a slower rate than in the past), future production may not be sufficient to satisfy effective demand at acceptable prices. The rapidly rising demand abroad for American wheat, soybeans, feed grains, and other farm commodities, together with increasing consumption of farm products at home, may herald an end to the old problem of crop surpluses.

During discussions of land use legislation on the Senate floor this year, Senator George Aiken (R-Vt.) observed that land use policy should be viewed as highly relevant to both farm policy and energy policy. The United States, he said, should take full advantage of its ability to produce farm surpluses for export in order to earn the money to pay for what is expected to be its greatly increasing importation of foreign oil.

And, quite apart from such considerations of national policy as this, some will argue that the preservation of certain farmlands uniquely suited to specialty crops can be justified simply in terms of keeping such crops available to Americans at reasonable prices. Here, it is relevant to note that, from December 1969 to December 1971, citrus acreage in Orange County, Florida—where the Disney World project was then being built—declined by some 8 percent, or 5400 acres (freeze losses were a major factor, but the feverish speculation in land spurred by the Disney development may help explain why more freeze-stricken groves were not replanted). The value of the citrus groves of Orange County and the rest of Florida's central highlands goes far beyond that of the fruit produced. These groves are highly scenic, and they represent a productive use that is compatible with the highland region's vital function in the recharging of the state's great Floridan aquifer.

In sum, by 1970, when general land use policy bills first came to be seriously considered in Congress, there was abundant evidence of the need for legislation in this field. Furthermore, several existing laws had pointed up the importance of effective land use regulation without actually bringing about much movement in that direction. Going back a number of years, the laws governing various federal grant-in-aid programs—for redevelopment and housing, highways, airports, and the like—had required that the projects benefiting from federal assistance be consistent with general land use plans of local governmental bodies. The Intergovernmental Cooperation Act of 1968 required that applications for federal grants related to a long list of purposes, from mortgage insurance to sewer construction and flood control projects, be reviewed and commented upon by planning agencies at the metropolitan, regional, and state levels. For such requirements for planning coordination in the case of specific projects to serve their purpose, it obviously was essential that the states and localities have general plans and policies which really governed land use practices. The same was true of the requirements of new federal air and water pollution laws that land use planning and regulation be employed as a major tool for achieving or maintaining prescribed air and water quality standards.

A major aim of the land use policy bill tentatively developed in 1970 by Senator Jackson (D-Wash.) and his colleagues on the Interior Committee was to have the states reassert the authority over land use which they had so freely delegated to the local governments back in the 1920's and 1930's. This initial Jackson bill would have made each state government responsible for having a *comprehensive* state land use plan prepared and faithfully observed.

One state, Hawaii, had long before, in 1961, adopted a land use law that called for establishing four zoning districts—conservation, agricultural, rural, and urban. Every part of the state was to be placed in one of these districts. No other state had enacted such a law, however, and most still had no broad state-administered land use control program of any kind. Hawaii was atypical, probably because of its small size and the importance of preserving its very limited amount of arable land.

FOCUSING ON THE "BIG CASES"

The Nixon Administration, in its land use bill submitted to Congress in 1971, was in full accord with the idea of having the states reassert authority but disagreed with Senator Jackson in his emphasis on statewide comprehensive planning. The Administration measure followed the concepts contained in the draft Model Land Development Code prepared by the American Law Institute (ALI). That code called for the states to take a highly selective approach focusing on land use questions of more than local significance, or on the "big cases," to use the term employed by Richard F. Babcock, the Chicago attorney who led in the code's formulation. According to Babcock, under the ALI code some 90 percent of all land use questions would continue to be disposed of by the localities without interference from state government.

Whatever difficulties there might be with this approach, it clearly offered one indisputable advantage—it held out to the local governments an assurance that their authority in land use matters would remain largely intact, thus making them more amenable to the proposed new role for the states. Any land use bill opposed by municipal and county governments across the nation would be a dead duck.

In 1972 the Senate Interior Committee came around essentially to accepting the Administration bill, and the selective, "big cases" approach was the one spelled out in the measure reported from the committee this year and passed by the Senate in June. The Senate bill, which runs to 80 pages and is too complex to be easily summarized, would have the states establish a land use control program concerned with several categories of "areas and uses of more than local concern," as broadly defined below.

(1) "Areas of critical environmental concern," for example, historic areas, significant wildlife habitat, beaches, flood plains and other "natural hazard" areas, and "renewable resources lands," such as farmlands, forests, watersheds, and aquifer recharge areas.

(2) "Key facilities," such as major airports, highway interchanges and frontage access highways, sports arenas, and facilities for the generation or delivery of energy.

(3) "Large-scale development," as in the case of an industrial park or major subdivision.

(4) "Public facilities or utilities of regional benefit," as in the case of a public housing project, a power plant, or a waste disposal facility which might be arbitrarily excluded from a locality by exclusionary zoning.

(5) The location of new communities and the control of land use around such communities.

(6) "Land sales or development projects," defined as any subdivision or housing project of 50 or more lots or dwelling units located 10 miles or more from the nearest urban region or from the nearest local jurisdiction certified by the governor as capable of regulating such a project.

The act sets forth two methods by which the states are to implement the new land use program, these to be employed either singly or in combination. One method would be for the state itself to undertake direct planning and regulation. The other method, and the one preferred by the Interior Committee, would be for the state to establish guidelines and criteria by which local governments would implement the program, subject to the state's review and approval. A few states—Maine, Vermont, and California among them—have over the past few years established programs whereby certain kinds of development are regulated directly by the state. The facts of political life being what they are, however, most states are likely—at least initially—to adopt the method of indirect control favored by the Interior Committee.

Under the Senate bill, the federal government would assume the obligation of keeping all its activities on non-federal lands (as in public works projects carried out or supported by federal agencies) consistent with the state land use programs; exceptions could be justified only for reasons of "overriding national interests," as determined by the President. Federal lands would ordinarily be managed in coordination with the management of adjacent non-federal lands, an important matter in western states where federal and non-federal lands often exist in a complex checkerboard pattern.

Also, the federal government would support the new state and local land use control program with grants made to the states, the total to come to $100 million annually over an 8-year period. The states would bear 10 percent of program costs during the first 5 years and a third of the costs thereafter. To remain eligible for continued financial assistance a state would be expected to develop, within 5 years, a program of land use controls for coping with the kinds of problems earlier described. Administration of the act would be the responsibility of an office of land use policy in the Department of the Interior, assisted by an interagency advisory board and (in cases where a state's eligibility for continued assistance is in question) by an ad hoc hearing board that would include a governor among its three members.

The land use policy bill that the House Interior Committee is expected to report out before the end of the year is likely to be generally similar to the Senate measure. In spite of opposition from the political right and from many land developers, such legislation now appears to have won the support (or, in some cases, at least the grudging acceptance) of a variety of interests, including resource user groups, local and state officials, and environmentalists.

This has come about through the elimination of both the more controversial provisions of the original draft legislation and some which various senators and representatives wished to add. Especially notable in this regard was the Senate's rejection, by a vote of 52 to 44, of a provision favored by Senator Jackson which would have allowed federal authorities to withhold up to 21 percent of a state's allotted highway, airport, and land-and-water conservation funds pending its adoption of an acceptable program of land use conrtol.

With few exceptions, the governors had strongly opposed this sanction, and the surprising thing is that it received as much support among the senators as it did. The land use bill pending in the House still contains a sanctions provision, but it is expected to be dropped.

Another thing that has kept the bill from miring in deep controversy was the decision not to attempt to have it prescribe a *national* land use policy. Last fall, when an earlier version of the land use bill was under debate, the Senate turned a deaf ear to a proposal by Senator Edmund Muskie (D-Maine) to include substantive policies in the bill which, among other things, would have required that the states ordinarily exclude development from areas such as prime farmlands, flood plains and wetlands, and wild areas. The general policy would have been to favor redevelopment of existing communities and urban areas

Although the Senate bill calls for special protective policies for areas of critical environmental concern, the states would be permitted wide discretion in defining the extent of those areas and the nature of permitted uses—and, indeed, with the sanctions provision eliminated, a state would be free not to adopt any program of land use controls whatever. By way of specific environmental standards the bill does little more than say that air and water quality standards prescribed under existing law must be observed and that land sales projects must not be located in natural hazard areas or built in such a way as to destroy natural values.

As pointed out in the report of the Senate Interior Committee, "there is virtually no consensus on the possible substance of national land use policies." Senator J. Bennett Johnston (D-La.) had, for instance, no doubt spoken for many when he disputed Senator Muskie's proposition that development must be excluded from flood-prone areas (Johnston contended that such a policy might apply to as much as a third of the land in his home state). To cite another example, the concept of preserving prime farmlands arouses much disagreement, not least among farmers, many of whom cherish the right to sell their land to developers for a handsome capital gain.

The one major point on which a consensus exists is that there is a need to establish a *process* of state land use regulation. The Senate bill does provide that, 3 years following its enactment, the Interagency Advisory Board will recommend to Congress such legislation as it may deem necessary for the establishment of national land use policies. In this endeavor the board will be aided by reports from the Council on Environmental Quality and the states.

If the pending land use legislation does soon become law, as seems likely some im-

provement in land use practices should result. The legislation, however, has a number of inherent weaknesses. In 1972, the Florida Legislature, by passing the Florida Environmental Land and Water Management Act, anticipated the proposed national land use law to a remarkable degree, for both the new Florida law and the national legislation are based on the ALI model code. Some major problems that appear to be arising under the Florida law will be examined in a second article.

DR. MARCUS A. FOSTER

Mr. SCHWEIKER. Mr. President, I was shocked and saddened to learn of the death late last Tuesday of Oakland school superintendent, Dr. Marcus A. Foster. Dr. Foster and his assistant, Deputy Superintendent Robert Blackburn, were gunned down by assailants as they left a school board meeting in Oakland, Calif. Fortunately, Mr. Blackburn will survive. But the void created by the death of Marcus Foster will be hard to fill.

Dr. Foster was well known to Philadelphians as associate school superintendent for community affairs. Prior to holding that position, he was principal of Simon Gratz High School in Philadelphia. In January 1969, Dr. Foster was presented the Philadelphia Award for his "outstanding public service to the community" when he was principal of Simon Gratz High School. He was cited, in particular, for his "Go for Gratz" program which brought school services closer to the community, and for forming an advisory council on career development to coordinate school efforts with the needs of industry. Only 18 of Gratz' graduates pursued higher education the year Marcus Foster became principal, in March 1966. After 2 years of his administration, 180 graduates continued their education, many with scholarship aid totaling $166,000.

In May 1969, Dr. Foster was named an associate superintendent of the Philadelphia school system. He was selected to fill a vacancy on the board of trustees of Delaware County Community College in June 1969, and was the first black ever nominated to that post. A month earlier he was named to the board of trustees of the University of Pennsylvania. Members of the Greater Philadelphia Chamber of Commerce named Dr. Foster "Man of the Month" in November 1969, and the educational task force of the Philadelphia Urban Coalition honored him at a testimonial dinner. He left Philadelphia to become superintendent of the Oakland, Calif., school system.

Mr. President, the shooting of Marcus Foster was a senseless act, and verbal tributes to him are somehow inadequate. However, at this point in the RECORD I ask unanimous consent to print an article by Elizabeth A. Williams which appeared in the Philadelphia Evening Bulletin. This article is significant, because it contains the tributes of the Philadelphia educators who knew Marcus Foster best. I join in their sentiments. In addition, I ask unanimous consent to print the foreword from Dr. Foster's book published in 1971 and entitled "Making Schools Work." The foreword was written by Alex Haley and aptly sums up much of Dr. Foster's philosophy.

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

FOSTER "SORELY NEEDED," EDUCATION LEADERS SAY

(By Elizabeth A. Williams)

Marcus Foster's murder in Oakland, Calif., was mourned today by Philadelphia school leaders who worked with him here.

Superintendent of Schools Matthew W. Costanzo spoke of him as a man whose example was sorely needed.

Mark R. Shedd, former superintendent, said Foster was one of the nation's great educators.

William Ross, president of the Board of Education, said, "He was a star."

"We are all terribly shocked and saddened by the loss of a very respected administrator and a much loved colleague," said Costanzo.

"There's no question that Marcus made an impact on the education of the children of Philadelphia while he was here."

(Foster became principal of Simon Gratz High School in 1966 and was an associate superintendent when he left here for Oakland.)

"Through his performance as principal of Gratz and as an administrator, he helped tremendously to raise the aspirations of Gratz pupils.

"Here is a man who was a product of the Philadelphia public school system. His example was sorely needed in the midcity.

"This even defies your wildest imagination. I just don't know who would want to do this to a man like Marcus Foster."

"This is a very tragic thing, a very amazing thing," said Ross.

"He was a very fine educator and an extremely constructive person in our educational system. I was extremely sorry to see him leave Philadelphia for Oakland.

"At Gratz, there was a great deal of absenteeism and very low morale. Marcus Foster turned all that around. He was a very fine all-round man."

Shedd, who appointed Foster principal at Gratz, was reached at his Cambridge, Mass., home. He now is a professor in the graduate school of education at Harvard University. Shedd said of Foster: integrity and enormous commitment to the kids and people of the community.

"I can't help but feel shock from the incredibility and senselessness of what has happened. When do we establish a climate when people don't seek to solve problems through murder, violence and brutality?"

MAKING SCHOOLS WORK

(Foreword by Alex Haley)

Freshmen nowadays in already-troubled colleges exclaim, "Wait till the high school kids get here!" That only adds a wider dimension of value to this book's contents, which Marcus Foster has somehow found the time to share. All educators, working at whatever level, have a very real stake indeed in what Making Schools Work has to say; but it is on the precollege firing line that Marcus Foster's brilliant career is being carved out, and that is where he has gained his dues-paid expertise. The tone of the book mirrors the man whom I have become privileged to know and for whom I feel a deep respect. With his natural-born matter-of-factness and affableness he will hit a ghetto street, ringing doorbells ("Hello, I'm the principal from Gratz"), or will cross the country on a midnight plane to exchange dialogue with other erudite educators. Therefore, far from being lofty rhetoric, this book is simply Marcus Foster's offering, in his own warm way, of forthright views derived from the problems he has faced. He offers for colleagues' consideration action he has taken in volatile circumstances—actions that bear the authority of having worked.

The authority is cumulative. Time and again, Marcus Foster has been rushed into troubled schools as a ninth-hour general; and threatened violence has been averted, to be replaced by creative progress. ("As I see it, when there has to be violence to get something done, then we know that the democratic process is failing us.") He describes graphically the confrontations he himself experienced in the hot seat of troubleshooter and school principal. We see him siding in a particular instance with students correctly demanding school changes to what they felt was "relevant." On other occasions we see how he weathers the tensions of an emotionally aroused community, a critical metropolitan press, an adamant school board, and a teachers' union ready to strike. Then we can read about the direct, practical, corrective steps that *worked*. And when the confrontations were at last defused and diffused, there came the healing, building actions which saw anger's energies channeled into constructive programs. We follow him through the long, hard, trying months of struggle to improve a historically maligned high school, "down" in every way imaginable, until gradually there begins a visible rising. The reader can share vicariously Marcus Foster's emotions when he says, "As Gratz began to climb upward, we could literally feel the surging energy and joy."

Marcus Foster goes farther—he takes us behind the scenes with insights into why various actions worked.

He helps us look into the welter of fears and uncertainties occurring today wherever pupils, black or white, or being used to achieve racial mixes; or wherever once lily-white residential school communities are rapidly darkening. Marcus Foster holds up a candid mirror to educators, students, parents, school boards, and communities, so that all who are involved may look at themselves.

Again, his insights help us understand the loudly lamented "nonreading" and "nonverbal" student—by offering fresh new perceptions of that young human being. We read of measures that have lured out and have *motivated* even their uneducated parents to see that there *are* ways in which they can aid their children's education ("I never met a parent, no matter how poor, who didn't prize education and know that education is what his children need.")

Here are made graphic the diverse dangers that accompany any administrative tactics to stall, balk, or outright ignore the demands voiced by students. ("If it makes sense to you, say so . . . . The kids need to know where you stand, whether you're with them or against them.") And like a litany, this book calls parents and the general community to become, and to be kept, genuinely involved with their schools. ("A school insulated from its community never was a good idea. Nowadays it is impossible!")

Marcus Foster urges that there be no more VIP principals within sacrosanct offices. He champions those whose open-door (and open-*ear*) policies obviously keep them closely attuned to whatever is going on. (In my own two years of interviewing for and writing THE AUTOBIOGRAPHY OF MALCOLM X, I cannot remember Malcom ever more impassioned than when he recalled his hurt and disillusionment followed by bitterness after a white eighth-grade counselor told him that, because he was black, he should strive to be a carpenter, not a lawyer, as Malcolm wanted.) Foster bemoans the huge metropolitan high schools which may have as many as four thousand students, and he wishes particularly that he could somehow alleviate in such schools "the anonymity a child feels . . . Anything you can do to overcome it has to be worthwhile."

The next book by Marcus Foster may very

well be about the diverse challenges with which he will surely be dealing as he continues in his present post as the first Black Superintendent of Schools in racially charged Oakland, California. The public reactions when he arrived ranged from sympathy for whoever would undertake the job, to hyper-militant dubiousness that the touted "mouthmatician" from Philadelphia could last even the traditional "honeymoon" year. As he entered his second year, however, it was accepted by all that Marcus Foster certainly seemed determined to revitalize comprehensively a troubled metropolitan school system. He was ready to "retool" by any means necessary, to provide better, more relevant education for the multi-ethnic students and community the school serves.

He concludes this book most appropriately with his first speech to the staff—whom he advised, "The reward system will work for those who dare to take risks." I feel no risk at all in reiterating that there are no American educators, or members of school boards, or student bodies, or parents, or concerned citizens, who will not find enlightenment and wise counsel about the administration of schools in our present, testing times through reading of this book.

TRADEMARKS PROMOTE U.S. ECONOMIC GROWTH

Mr. EAGLETON. Mr. President, the president of the U.S. Trademark Association is a most distinguished St. Louis attorney, Mr. Thomas J. Carroll.

He has written me a letter, excerpts from which I ask unanimous consent to have placed in the RECORD along with a pamphlet prepared by the U.S. Trademark Association.

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

EXCERPTS

This brief pamphlet presents 7 cogent reasons why the United States trademark system is so vital to the vigor and growth of the United States economy.

The USTA feels quite strongly that since the founding of our country, and certainly since the age of the industrial revolution, trademarks have been the very backbone of our economy. Unfortunately, today their importance to everyday living and protection of the consumer is frequently lost in continuing efforts of others to present other concepts and philosophies. These efforts are being utilized in some instances by well-meaning individuals and even government bureaus. However, I don't really think they have thought through what the end results of their efforts to promote other concepts and philosophies will be.

The USTA is going to forward to each congressman and senator a copy of the pamphlet in the very near future. So it is our hope that should you grant my request to read the pamphlet into the Congressional Record, it will not be an unfamiliar subject to your colleagues.

TRADEMARKS PROMOTE U.S. ECONOMIC GROWTH

Trademarks have helped build the American economy to its leading position in the world today. No other economy has ever matched its record of innovativeness, productivity or ability to raise the entire standard of living of a major nation.

Why is the trademark system so vital to the vigor and growth of the U.S. economy?

Here are seven reasons why:

1. ENCOURAGES MARKET COMPETITION

Market and merchandisers competition in America depends on the ability of competing producers to identify their goods and services. Without trademarks to differentiate the source of one product from another, an important incentive to offer superior quality is lost.

2. FIXES RESPONSIBILITY

Trademarks act as a major deterrent to careless manufacturing. Dissatisfied consumers can instantly identify products that failed to live up to claims or expected standards of quality.

3. STIMULATES INNOVATION

Continuous new product development in a free society requires a trademark system to guarantee the innovator his goods can be recognized and rewarded if they prove successful.

4. LOWER COSTS

The economies of mass production and mass distribution depend on trademarks to develop and hold large markets. Without trademarks, cost-saving distribution techniques such as self-service supermarket merchandising would be impaired. Nor would producers have the confidence of repeat sales to package products at the rate of millions of units per week.

5. SAVES CONSUMER TIME

Fast product identification saves valuable time for consumers. The average American food shopper today spends only 30 minutes per week selecting 50 different products on a typical trip to the supermarket.

6. GIVES CONSUMER A CHOICE

Trademarks make it possible for consumers to tell one product from another, choose their favorites and reject the brands they don't like.

7. CREATES FOREIGN MARKETS

American companies foreign trade has played a major role in building the U.S. economy. Trademarks make it possible for American producers to create worldwide markets for their products.

PROBLEM OF SECURING STABLE ENERGY SUPPLIES

Mr. HATFIELD. Mr. President, may I take this opportunity to bring the words of the great Senator from West Virginia (Mr. RANDOLPH) to the attention of my colleagues. He is addressing today a convention of the American Petroleum Institute, and his subject is the problem of securing stable energy supplies for our country.

Few people can speak with the authority of Senator RANDOLPH on this subject. We remember that years ago he began urging the Congress to focus attention on our developing energy problems. He is the father of the wide-ranging Senate study of U.S. energy policies begun in the 92d Congress and continuing in the 93d. The clarity of his vision in the examination of the many facets of our current energy situation is still unmatched.

Time will prove the assertions that Senator RANDOLPH makes today. Let us not waste time by failing to act upon his recommendations.

I ask unanimous consent to have the text of Senator RANDOLPH's address appear in the RECORD.

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

SPEECH BY SENATOR JENNINGS RANDOLPH

You have been reading about it and you have been living with it—and so have I. Reference here is, of course, to the fuels and energy crisis.

I have not at any time discounted the seriousness of the shortages as they have grown into crisis proportions.

But, after numerous critical meetings with N.A.T.O country legislators in the latter part of October—and all last week with my Senate colleagues, with Administration spokesmen, and with leaders of energy industries—I say with sadness that we have a real crisis now, not a contrived crisis. And a more serious extension of the crisis is in the making, largely as a result of the Arab-Israeli war and our country's involvements.

So, continuing our high standard of living in America is possible only through having available—and consuming—significant quantities and, for the foreseeable future, increasing amounts of energy resources. But, consumption must slacken because supply is not keeping pace in any commensurate degree with demand.

Recent—and growing—shortages in gasoline and propane—and now in heating oil—and a falling off of coal production, all combine to raise serious questions regarding our country's capability to sustain even limited economic growth without any frills attached.

In 1960, our energy demands, when converted to a common base in terms of oil or an "oil equivalent", were 21 million barrels of oil per day. In 1970, this figure had reached 34 million barrels per day—and is projected to increase to 48 million a day by 1980.

In 1960, each American annually consumed the equivalent of 44 barrels of oil; by 1970, it was 60 barrels annually; and, for 1980 it probably will reach 77 barrels per person each year.

Under such circumstances, energy self-sufficiency will not materialize automatically; indeed, at such rates of consumption, we will surely be in a deep energy deficit.

Our country's present hodge-podge of energy policies is synonymous with a National Oil Policy, but more synonymous with an Imported Oil Policy. If recent projections made before the Arab-Israeli war were to materialize by 1980, it would have meant that almost half of our oil supplies would be coming from the Middle East.

As more recent and continuing events have been demonstrating, this proposed dependence on the Middle East is thoroughly unrealistic, even for the short-term. But, we have not taken any substantial and necessary steps to assure alternate domestic supplies.

Japan and Western Europe have no other choice than a significant reliance on imported energy supplies. However, the United States, like Russia, has the potential to achieve energy self-sufficiency through reliance on domestic resources. I have been making this assertion for more than 30 years—and I will continue to urge a stronger determination to achieve greater degrees of American self-reliance.

I repeat and reemphasize:

The United States only option that is in our long-term interest is energy self-sufficiency.

This means a greater development of nuclear electric power, and, more importantly, a significantly increased reliance on domestic coal resources for gasification and liquefaction.

The benefits to be derived from reliance on domestic energy supplies would be felt by all segments of society. Employment would increase. Individual incomes would rise. Profit opportunities would improve. Government revenues would grow. And the Nation would be more secure.

A National Fuels and Energy Policy dedicated to energy self-sufficiency will require:

First, realistic consideration of expanded environmental concerns;

Second, reorganization of the Federal Government to promote more efficiency and co-

ordination in Administration of Federal energy programs;

Third, a national energy conservation policy;

Fourth, a concented Federal energy research and development policy;

Fifth, promotion of the development of domestic energy supplies—oil, natural gas, and coal; and

Sixth, energy prices which reflect the costs of developing replacement supplies—including synthetics—for depleted reserves.

But, it is clear to me that we cannot achieve these goals under the old order or under the traditional methods.

There must be a reordering of priorities, a re-thinking of concepts, and a development of new energy technologies.

I am not implying, however, that we accept extreme concepts or proposals that would destroy more of the free enterprise system than it would rectify. Believe me, ladies and gentlemen, there are some very debatable—if not destructive—schemes lurking behind the scenes, including some which perhaps will be proposed as amendments to the Natural Gas Act.

It seems to me to be inescapable that secure energy supplies—perhaps we should say "all energy supplies" from now on—will involve higher prices to be paid all the way from producer through to consumer. Oil, natural gas, and coal—and derivatives—cannot help but feel the impact of rising costs.

World-wide oil shortages, made all the shorter by recent and on-going Arabic oil country production curtailments, naturally drive petroleum prices upward.

Natural gas prices, historically and even today under regulation by the States' regulatory agencies and by the Federal Power Commission, must have more flexibility.

Regulation, it has been said, was established to protect the consumer and guarantee that he will have this valuable energy resource for a cheap price.

Instead, this energy supply has been priced out of plentiful availability. As a consequence, regulation can be said to have restricted the industry. This has created a condition of scarcity and, therefore, the consumer has been done a disservice.

Regulation to protect the consumer has resulted in his "over-protection" because it has developed scarcity which has distorted the whole energy supply picture. There must be better ways to safeguard the consumer. We must find them and implement them, and not delay doing so.

I know as you do that exploration for and production of natural gas, just like the search for oil, are risky businesses. All of the easy-to-find gas probably has been found. Gas becomes increasingly difficult and more costly to discover when it means having to go the Outer Continental Shelf—to Alaska—and to depths greater than 15,000 feet. Some of this extra-deep drilling is in my home state of West Virginia.

Such expensive exploration requires substantial capital. But it is necessary to bring it to bear on the problem if we are to have adequate supplies of natural gas and oil for the consumer.

Everyone here surely knows that I am an advocate of making substantial capital expenditures for gasification of coal to create commercial supplies of pipeline quality coal gas to augment natural gas.

If shortages of gas and oil continue to intensify, we will indeed have cold showers, cold food, cold homes, and cold feet. And, before we have to resort more and more to the candle for warmth and light, we should be mindful that candles, too, are derivatives of petroleum.

And, because of the cost-price squeeze, coal mines are not producing even at normal levels; certainly not at the accelerated pace which total energy conditions indicate coal should meet in the best interests of the country.

To be sure, we read last week that the National Petroleum Council projects that domestic demand for coal is expected to increase by 3½ percent a year through 1985—and that coal exports will rise by 4½ percent annually.

This would seem to be good news for the coal industry and the miners—as well as for the economy of such States as West Virginia, Kentucky, and others with much coal production.

But, we must realize that a rapid stepping up of production will not come about with ease. Conceivably, any new coal production might be thwarted.

Here are some reasons why this is true:

One coal executive has informed us of extraordinary developments, as follows:

(1) Evidently the Federal Power Commission has asked numerous Eastern United States electric utilities to go back to burning coal as a result of the oil crisis, which was accentuated by the Middle East war last month.

(2) Eastern United States coal mines supplying steam coal at the present time are unable to fill the orders on hand. Production is somewhat below normal because of health and safety law stringencies and because of market problems induced by the Clean Air Act and regulations under it—plus, of course, the anti-pollution laws and regulations of the States and major metropolitan areas.

(3) Notwithstanding, the Eastern utilities have been attempting to move back into the Eastern coal market at an unprecedented rate during the past week.

(4) But, everything considered, the coal producers do not find any sound financial way to increase coal production under the Federal price control system as presently in effect.

Clearly, just as oil has had the depletion allowance and other incentives to stimulate investment in exploration, and just as natural gas needs realistic relief from the present regulatory system, so does coal require more realistic price consideration by the Cost of Living Council. Unless price regulation in its present form is removed, no new mine capacity will come about.

Clearly, our fossil fuels industries need better understanding of their problems by Congress—and by the Executive Branch, as well—especially by the Cost of Living Council.

Moreover, as a country we must be prepared to pay costs that reflect the stringencies of environmental quality controls, as well as the burdens of occupational health and safety laws and regulations.

To date, we have not done well in finding a suitable and equitable balance between energy and the environment.

Rather, it seems that we have adopted a national posture of energy versus the environment, to the substantial disadvantage of domestic energy supplies—especially to the disadvantage of coal and oil.

The challenge is there; the question is one of acceptance and a solid commitment to meeting our country's energy needs in ways consistent with our national environmental policies. Both can be achieved if the approachment of our national capability to solutions is reasonable and not fanatical.

In this context, as provided in our Constitution, the Congress is responsible—and accountable—for the formulation of our country's priorities and programs. The Executive Branch, in turn, must implement and administer statutory policies or recommend their modification.

In this connection, we have been finding more and more that, in addition to the lack of anything approaching an integrated and viable national fuels and energy policy, there is sluggish and uncoordinated response by Federal energy agencies to serious fuel shortage problems.

This underscores the need to overhaul Federal energy organization.

The prospect of unprecedented peacetime fuel shortages in the next few months and years poses an extraordinary challenge to the Federal Government.

Those of us associated with the Senate Fuels and Energy Policy Study are in agreement with Chairman Jackson that—skillful management of major new programs for energy conservation and fuels allocation will be required. At the same time, major programs to develop new fuel sources must be placed on an urgent basis. Yet, there is little evidence that the Executive Branch, even at this late date, is properly organized to respond to these needs.

Clearly, Congress cannot wait too long to create new organizations—with new mandates—to develop and manage coherent and rational fuels and energy policies.

We need to create more and better technology to expand our country's energy supplies and move farther down the road toward domestic energy self-sufficiency. We have really not performed up to our American potential in this respect. Hence, we are a long way from being energy self-sufficient.

Yes, the United States must develop alternative supplies to increase flexibility in our negotiatons with overseas oil countries. To be sure, this will call for higher energy prices, which is naturally not domestically popular. But the alternative would be to curb domestic consumption. The Middle East war has vastly complicated our energy picture and our ability to bring it better into focus.

As I view the situation today, our greatest challenge is the willingness to come to grips with the fact that the industrialized and militarily powerful countries are really too much at the mercy of the small and the economically developing countries. Yet, for some time to come Western Man will have to rely substantially on such oil-rich countries.

Few of our traditional policies can accommodate this turn of events in an era of intense nationalism—especially Arabic nationalism.

Hence, seldom before has there been such a need for new, imaginative United States foreign policy. Consequently, we must have an international—a world—not just a United States perspective with respect to foreign policy.

In the absence of the degree of domestic self-sufficiency in energy that we should have tried harder to achieve, I believe that: Our foreign policies in the Middle East do not reflect our growing dependence on that part of the world for energy supplies. Our foreign policies must be modified so as to reduce tension and better stabilize the oil supply system.

For too long, perhaps, our policies toward the Arab countries have been too generally synonymous with the policies of the international oil companies. In the past, this had some degree of acceptability. But, now—and in the future this will not be in the best interest of our country. I cannot believe any longer that the financial interests of the international oil companies are inherently the same as the interests of the people of the United States.

Our Government must henceforth undertake diplomatic approaches, on our country's behalf, with the Organization of Petroleum Exporting Countries (O.P.E.C.). The overriding concern of our Government must be secure and stable energy supplies.

I repeat and reemphasize:

We are too far from being domestically self-sufficient to ignore the O.P.E.C. countries or to neglect our relations with them.

Now, I return to a brief focus on the need for aggressive domestic actions:

For the past quarter of a century, one Ad-

ministration after another has failed to create or even address the need for a National Fuels and Energy Policy. Each Administration seems to have been content with a hodge-podge of policies. The Congresses have done no better. We are really trying harder in this Congress, but we are having to do it under crisis conditions.

Now we are paying for this neglect!

Our present National Administration suffers even worse from indecision, delay, lack of candor, and an understatement of domestic problems. In short, this Administration is content, it seems, to react too much after the fact rather than take bold and necessary steps beforehand.

As I come toward the closing of these remarks, I make it clear that I believe, in the final analysis, that any long-term strategy for increasing our domestic energy self-sufficiency must rely on traditional institutions that have served us well. This means, in my view, that our principal reliance must continue to be on industry and the market place for our energy supplies. But the staid old ways of the past will not see us through the problems we face now and those we will confront in the future.

There needs to be a blending of youth in your establishments with the wealth of experience within your corporate structures.

You may not realize how much or how often it is true, but young lawyers and economists you pass over in your recruitment and replacements in favor of the "experienced" lawyers and economists are coming to the staffs of the Committees of the Congress. And you should know that many of the laws under which you live are written by these young people in committees.

I urge you to be more interested in young professionals who can join you in the representations you make to Congress and to the departments and agencies and commissions of government.

Recruit them; orient them carefully; train them skillfully; and use their services wisely. It is in your several corporate best interests that you do so. At least this is my view as I observe events as they occur on the national scene.

Again, as I said at the outset, I emphasize my belief that there is nothing but falsity in the allegations and implications that the energy shortages—the increasingly serious energy shortages—are fictitious or concocted. Not only are the allegations of fictitiousness false, they are causing confusion at a time when a national commitment is needed. I speak of commitment in terms of meeting the need for positive programs.

You must believe it; there is a severe energy crisis. It is real. It will come down on us with heavy impact this winter and I fear it will be with us for several years—not in the U.S.A. alone, but worldwide.

TAX OVERPAYMENTS BY OLDER AMERICANS

Mr. CHURCH. Mr. President, low income in retirement continues to be the No. 1 problem confronting older Americans.

More than 5 million persons 65 and above have incomes below the poverty lines: approximately $2,100 a year for elderly single persons and $2,640 for aged couples.

Recent changes in our tax laws—many of which I have either sponsored or actively supported—exempt low-income older Americans from the burden of filing a Federal tax return. For example, an individual 65 or older is excused from this requirement if his adjusted gross income is under $2,800. An aged couple filing jointly is exempt from Federal income tax if their adjusted gross income does not exceed $4,300.

However, a surprisingly large number of older Americans still have a sufficient amount of income to file a tax return. According to the most recent information, 6.9 million returns were filed by elderly persons in 1970.

Unfortunately, many of these individuals may now be paying more taxes than the law requires for several reasons, including:

First. All too often, the elderly taxpayer is simply unaware of helpful deductions, credits, and exemptions which can substantially reduce his or her taxes.

Second. The complexity of the tax law may serve to camouflage tax benefits.

Third. The tax form with the accompanying instructions is full of linguistic subtleties which are not readily understandable by the average taxpayer.

To help protect the elderly against overpayment of income taxes, the Senate Committee on Aging—of which I am chairman—has taken several steps. For example, we have published a list of common deductions which are frequently overlooked by taxpayers who itemize their allowable expenditures. Additionally, the committee has a supply of the publication entitled "Tax Benefits for Older Americans." This helpful pamphlet can be obtained by interested elderly taxpayers by writing the committee.

Another helpful item, it seems to me, is a recent article—entitled "Tax Breaks: Older Citizens Overlook Savings"—appearing in the National Observer.

This account provides a very clear and concise explanation of some of the major tax relief provisions for the elderly.

Mr. President, I commend this article to my colleagues and ask unanimous consent that it be printed in the RECORD.

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

TAX BREAKS—OLDER CITIZENS OVERLOOK SAVINGS

(By Morton C. Paulson)

For many people the twilight years are a time of budget-watching or penny-pinching. And yet many older Americans pay more taxes than necessary, the U.S. Senate Committee on Aging has found. The reason is that they aren't aware of various deductions and exemptions allowed the elderly by the Federal Government and many states.

Here are some of the main tax breaks. Additional information on these and others can be obtained from a tax consultant, a local office of the Internal Revenue Service (IRS), state tax offices, or special publications on the subject.

EXEMPTION FOR AGE

If you are 65 or older, you get a $750 Federal income tax exemption *in addition* to the $750 personal exemption everyone is entitled to. You can claim the age exemption even if you won't be 65 until Jan. 1, 1974; the IRS considers you to be 65 on the day *before* your birthday.

BENEFITS FROM SALE OF RESIDENCE

If you sell or exchange your home during the tax year, you can avoid taxes on all or part of any profit you make. The entire gain may be excluded if the adjusted sales price—the amount you receive after paying selling commissions and certain allowable fixing-up expenses—is $20,000 or less. If the adjusted sales price is more than $20,000, part of the gain may be excluded.

To be eligible for either of these exclusions, you must have owned the home at least eight years and used it for your principal residence for at least five of those years. Also, you or your spouse must be 65 or older at the time of the sale.

Finally, the exclusion can be used only once in a lifetime.

RETIREMENT INCOME CREDIT

Up to 15 per cent of certain retirement income may qualify as a credit against your tax bill. The maximum credit is $228 for a single taxpayer and $457 for a couple filing jointly.

If you're retired, but under 65, you can count as retirement income only taxable proceeds from a pension or annuity from a public retirement system. If you're 65 or older, you can include income from interest, dividends, and certain rents—in addition to pensions and annuities.

The credit is claimed on Schedule R. To calculate it you subtract certain tax-free benefits such as Social Security or railroad retirement income, plus part of any earnings you receive if you are under 72, and then take 15 per cent of what remains as the credit.

There are several conditions, however. You're not entitled to a credit, for instance, if you received more than $1,524 ($2,286 for couples figuring the credit together) from tax-free sources, such as Social Security. Neither could you qualify if you're under 62 and earned $2,424 during the year or between 62 and 72 and earned $2,974 or more. Other qualifications could likewise eliminate or reduce the credit.

INSURANCE EXCLUSION

Part of life-insurance proceeds paid in installments may be excluded from your taxable income. To determine how much, divide the amount held by the insurance company by the number of installments due you.

Example: Say you receive $40,000 in proceeds in 10 annual installments of $4,000, plus $400 interest. You may exclude from your gross income $4,000 (40,000 divided by 10) as a return of principal. The $400 balance is taxable as gross income unless you're a widow or widower; then up to $1,000 annual interest can be excluded.

STATE TAX BREAKS

The tax laws of many states favor the elderly. For example, people moving to Hawaii after 65 pay income taxes on income from Hawaiian sources only. Minnesota exempts most public retirement benefits. Some states, including Florida, Maryland, and Massachusetts, have special exemptions for older homeowners. For information about your state's setup, check with the state tax office.

Determining the full extent of your potential tax benefits—and computing many of them—will take some time and research. It may be advisable to consult a tax expert, or get help from the nearest IRS office.

And these publications, all free, will fill you in on the details:

"Tax Benefits for Older Americans" (IRS publication No. 554). Describes the Federal tax rules affecting older people, tells how to compute your tax, and gives numerous example. Copies can be obtained from any IRS office.

"Retirement Income Credit" (IRS publication No. 524). Explains the credit and tells how to compute it. IRS offices have this one too.

"1973 Tax Facts for Older Americans." This 57-page booklet outlines the tax set-up in each state and itemizes special benefits for the elderly. Available from the American Association of Retired Persons, 1225 Connecticut Ave. N.W., Washington, D.C. 20036.

THE ENERGY CRISIS AND BITUMINOUS COAL

Mr. DOMINICK. Mr. President, it is ironic that while the Nation literally is trying to muster all its available energy to cope with the crisis brought on by the Arab oil embargo, Congress is still considering a surface mining bill which would foreclose our prospects of mining some of the largest deposits of our only truly available energy source—bituminous coal.

I would remind the Senate that when we voted a few weeks ago to approve S. 425, the surface mining bill, the Nation already faced a critical energy shortage. Now the oil embargo has escalated this to a real energy emergency. On October 8, the Senate adopted the Mansfield amendment by a vote of 53 to 33. This emergency makes it more apparent than ever that the Senate acted unwisely in approving this amendment which bars the surface mining of federally owned coal reserves where the Federal Government does not own the surface above the coal. The effects of this amendment, which I opposed, if it becomes law, will be to prohibit the mining of not just a few tons of coal, but thick seams which contain literally billions of tons of low-sulfur fuel. There have been varying estimates of the amount of coal affected in the West by this amendment, but the very lowest of these that I have seen is in excess of 14 billion tons. Other estimates range as high as 37.5 billion tons.

Mr. President, even though we are accustomed to dealing with the Federal budget, it is hard to visualize what the loss of even 14 billion tons of coal from our resources would mean to a Nation which is crying for additional energy. This amount of coal would supply electricity for my State of Colorado for 2,500 years at the present rate of generation.

It was apparent during the debate, Mr. President, that some Senators believed that the enormous seams of strippable coal could be mined by underground methods if we prohibited surface mining. Others thought the Nation could safely set aside this essential resource and replace it with coal mined from deeper seams by underground methods. Both of these assumptions are false. I have received a letter from Dr. Guy McBride, the distinguished president of the Colorado School of Mines, who has written me and other members of the Colorado delegation to express his personal concern and give his professional opinion of these theories. Dr. McBride supports the general concept of the bill, that land should not be surface mined unless it can be reclaimed effectively, and that such reclamation should be mandatory, but he gives his professional opinion that the strippable reserves of coal in the West cannot be mined by underground methods because the strata above them will not support the mine roof. He also points out that underground mining will require much more manpower, which the industry does not have available. Finally, he gives his expert opinion that underground mining of the very thick seams of coal, which abound in the West, even where it is technologically feasible, is an extremely wasteful process, recovering only one-third to one-fourth of the total coal in the seam. As he points out, this would be a severe sacrifice of our national coal resources. Ultimately, we will have to mine the deeper deposits of coal, but this should be delayed until we have methods, which do not now exist, for fuller recovery of this resource.

Mr. President, I commend Dr. McBride for his courage and public spirit in pointing out the fallacy of some of the suppositions on which the Senate apparently was operating when it enacted S. 425. I hope that the House, when it considers its version of surface mining legislation next year, will pay heed to his words and refuse to incorporate the Mansfield amendment in its bill. And, finally, Mr. President, I hope that the Senate conferees will bear in mind the far-reaching and disastrous effects of this provision.

I ask unanimous consent, Mr. President, that Dr. McBride's letter be printed in the RECORD, and I urge all Members of both the House and the Senate to consider its implications carefully.

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

COLORADO SCHOOL OF MINES,
UNIVERSITY OF MINERAL RESOURCES,
Golden, Colo., November 2, 1973.

Senator PETER DOMINICK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOMINICK: I am writing to you, and to the other members of our State's Congressional delegation as well, to support the general concept of S. 425 "Surface Mining Reclamation Act of 1973" that lands should not be surface mined unless effective reclamation is both possible and mandatory.

But I wish at the same time to express my personal concern, based on a study of Congressional Record and public media reports, that the Act itself, and more particularly the Mansfield amendment relating to Sec 216 thereof, seem to have been adopted by the Senate on the understanding that most if not all of the so-called "strippable" reserves in our Western states can be mined at acceptable costs by underground methods. I firmly believe this is simply not the case for the reason that if the strata of earth and relatively weak and unconsolidated rock overlying the coal are thin enough to offer an economically feasible stripping ratio then they are incompetent to be the roof of an underground mine.

There are two other matters which appear not to have been given adequate consideration in deciding between underground and surface mining: First, related to surface mining, underground operations are labor intensive and will require miners and engineers in numbers which we shall not be able to supply.

Second, underground operations in thick seams, even where technically feasible, recover only one-fourth to one-third of the total coal and thus entail a severe sacrifice of our national resources.

It is my understanding that the Mansfield amendment, if finally adopted in its present form, will in fact effectively prohibit the surface mining of a very large fraction of otherwise economically and technically strippable reserves in Montana and Wyoming. Although it may be sound public policy to do just this, I would not like to see it done on the specious theory that underground mining of these reserves is a sound alternative.

Please let me know if I or any of my colleagues here can be of help in your further consideration of these important matters.

Yours sincerely,

GARY T. MCBRIDE, Jr.

WENDA MOORE—NEW REGENT OF UNIVERSITY OF MINNESOTA

Mr. MONDALE. Mr. President, several days ago, Gov. Wendell R. Anderson made an outstanding appointment to the University of Minnesota Board of Regents. He selected Mrs. Wenda Moore, an individual with superb academic credentials and experience in public service. Mrs. Moore has worked with great dedication in State government in the field of education and has actively participated in community affairs.

An editorial, which appeared in the November 4, 1973, edition of the Minneapolis Tribune, praises the selection of Mrs. Moore, both for her fine personal qualifications and as evidence of Governor Anderson's commitment to assure that women and minorities have an opportunity for representation on the board of regents.

I wholeheartedly agree with the viewpoint expressed in this editorial, and I ask unanimous consent that it be printed in the RECORD.

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

THE UNIVERSITY'S NEW REGENT

We welcome Wenda Moore to the University of Minnesota Board of Regents. Gov. Anderson, in our opinion, has made an excellent choice to replace Josie Johnson, who is leaving the state. Mrs. Moore will bring to the board an academic background in political science and a history of involvement in civic affairs, much of it centering on education.

In addition, Mrs. Moore—like Mrs. Johnson—is a black woman. In announcing Mrs. Moore's appointment, the governor said he rejects the idea of quotas for the board and did not select her because she is black. Nonetheless he acknowledged that women and minorities have not been adequately represented in the past.

The governor is right about the patterns of the past. Mrs. Johnson was the first black to serve on the board, and she was one of two women on it. We are glad that the governor found a well-qualified candidate to replace her—but we are also glad that he found one who will at least hold the line on the small gains that have been made in the representation of heretofore overlooked segments of Minnesota's population.

HOWARD PHILLIPS

Mr. BUCKLEY. Mr. President, while there are those who may disagree with his views and actions, there is no one who can doubt that Howard Phillips is a man of unswerving principle. In his time as Acting Director of the Office of Economic Opportunity he gained a number of enemies, but he also gained a great number of friends, who found his personal honesty and integrity admirable and who were inspired both by his dedication to the principles of individual liberty and the right of the individual to participate in decisions affecting his life.

On September 21, 1973, the friends of Howard Phillips held a testimonial din-

ner in his honor. At that dinner Mr. Phillips delivered a thoughtful and moving address on the issues and tasks facing America and Americans. He said:

We are in the forefront of the continuing debate about the nature of man—his rights, his obligations, his very future on this planet. . . . We, who fancy ourselves free men and women, have a special responsibility to rivet our attention on this central issue: the struggle to determine whether the individual will master institutional forces or be mastered by them.

He observed further that—

This is not a new issue. It has been with us, in various forms, throughout the history of mankind. But it is an issue which always remains to be decided.

Mr. President, I ask unanimous consent that Mr. Phillips' remarks be printed in the RECORD.

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

ADDRESS BY MR. HOWARD PHILLIPS

Thank you very much. I am deeply grateful to each of you who is here tonight and for the work which so many people put into this dinner.

It is unfortunately not possible to mention by name each of those whom I would like to particularly thank for their loyalty, dedication, and friendship, so I will not attempt it.

But, in expressing my appreciation for the success of tonight's event, I would be remiss if I failed to extend thanks to two people in Washington who did so much to boost ticket sales—Jack Anderson and Nicholas Von Hoffman. Jack Anderson did a column earlier this week in which he stated that a testimonial dinner was being planned for one of the most "unpopular" men in Washington—me. This time, he was right. I am unpopular in this city—and I'm proud of every enemy I've made.

Judging from tonight's attendance, so are you. We worked hard for each and every one. As I look out among the audience, I feel a little bit like that famous TV commercial for Listerine—I've got the taste you hate—twice a day.

But, seriously, I admire the courage of each person who has been willing to be publicly identified with me. You have nothing to gain from it, since I have no present capacity to reward or punish. It is an honor for me to be in the company of people like you, who have enough nerve to risk incurring the wrath of Richard Nixon's enemies *and* his friends, or at least some of them.

Earlier this evening, during the reception, I even heard a rumor that the White House Counsel, Leonard Garment, has already sought out a copy of tonight's attendance list—so he can leak it—to the Justice Department.

But I want to assure those members of the White House staff who are present tonight that my friends are no more responsible for what I do or say than the President is for what his appointees do and say. By all accounts, that makes all of us totally innocent.

While expressing my appreciation, I must also observe that I am deeply in the debt of the national press corps for its work during the past year in increasing my name recognition—which, in this day and age, is very important to anyone in public life.

As my homestate friends can attest, when I ran for Congress in Massachusetts in 1970, I had almost no recognition. Now, thanks to the coverage I've received, they barely recognize me at all.

To demonstrate my gratitude for the contribution they have made to my career, I spent some time this week searching for words adequate to convey my level of regard for the devoted scribblers of the Fourth Estate.

Failing in this task, I consulted the writings of a man whom I greatly admire. Thomas Jefferson. This great libertarian put it in words far more clear than any I would venture, saying in 1807 that quote ". . . a suppression of the press could not more completely deprive the nation of its benefits than is done by its abandoned prostitution to falsehood. "Nothing," Jefferson continued, "can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vehicle."

Jefferson had more to say on the subject, but my wife has urged me not to repeat it in polite company.

I am personally not yet prepared to be so discouraged as was Mr. Jefferson by the inadequacies of the press, perhaps because, in our era, they represent only one of many subjects for deep concern. We are beset on all sides, not merely by Big Media, but also Big Business, Big Education, Big Labor, Big Government, Big Foundations, and all the other decadent bureaucratic megalopolies which restrict individual self-determination.

Throughout our society, where once we had diversity, there is now uniformity; in place of identity, we have anonymity; for individualist variety, we have substituted collective homogeneity and standardization; in evermore areas, public and private, monopoly practices have replaced market systems; the very competition and flow of ideas is threatened as we rely on fewer and fewer sources for more and more information.

As Richard Nixon observed, two and one-half years ago, "Things are in the saddle and ride mankind." The individual appears to become less important in the scheme of things, with accordingly reduced power to direct even his own destiny, let alone that of his family, community, and nation.

We, who fancy ourselves free men and women, have a special responsibility to rivet our attention on this central issue; the struggle to determine whether the individual will master institutional forces or be mastered by them.

This is not a new issue. It has been with us, in various forms, throughout the history of mankind. But it is an issue which *always* remains to be decided.

Tonight's dinner celebrates a brief contemporary chapter in that struggle in which some of us were privileged to participate. Some have despaired that we have not yet won our cause. Others, and I among them, rejoice that we have at last entered the contest, which, at its heart, concerns the future of Western Civilization. It is not simply an ideological struggle, or even principally political, although its manifestations take political form. We are in the forefront of the continuing debate about the nature of man—his rights, his obligations, his very future on this planet.

The likelihood is that, for our era, the debate will be resolved in America, by Americans. Since the time of our national independence, we have had a special role to play in the world—blessed with immense resources, gifted leadership, and unprecedented material progress. Yet, without discounting these benefits, our importance has derived more from what we have believed and stood for, than from what we have possessed.

Today, as we approach our 200th anniversary, things have changed. Many of our resources are becoming inadequate, economic growth has slowed, and our leadership does not seem quite so gifted. Of greater concern still, we are less clearly the instrument of individual freedom that we once were.

Reflecting on this, some years ago, Whittaker Chambers said that, for us, the central question is not whether Western Civilization can be saved, but whether it should be saved.

It remains for Americans to affirmatively answer both of those questions in each generation, proving worthy, as a people, of the heritage with which we were entrusted.

No civilization or society can be cured of its illnesses unless it has the desire for health, a sense of national self-worth, and a will to survive.

We must be wise enough to understand how our strength has been eroded so that we don't seek to cure by administering an additional dose of that which caused the disease.

We must recognize the forces which have eroded the position of the individual in American society:

The decline of the family—the basic instrument through which we conserve and give value to that which is personal;

The erosion of community—that anchor of Republican government which gives citizens a sense of places and enables them to influence the course and nature of their society:

An increasing job-centered mobility—which accords excessive weight to our economic roles, at the expense of our more individual and, if you will, human roles in family and community;

The secularization of religious faith, undermining the personal moral link with God which assures us the strength to assert our independence from social control.

In the midst of these changes, our values have been under sharp challenge by movements which assault the central idea of Western man: the spiritual worth and moral integrity of individual human existence. Individual worth is degraded not just by cultural promiscuity, the impersonality of technology, and criminal disdain for life and property.

In a more civilized way, it is denied by those who seek to judge men, reward and punish them, not on the basis of merit or achievement, but, for example, by quotas which assess our worth on the basis of characteristics acquired at birth. What greater denial could there be of human value and individual responsibility. It's not unlike the stoneage wizards who decided men's fates by reading animal entrails. Astrologers and entrail readers alike should know that our faults, like our strengths, lie less in our stars, than in ourselves.

Individuality is also threatened when we surrender personal responsibility to the collective authority and determination of others in bureaucracies public and private.

Bureaucracies, as collective entities, are hardly capable of making moral decisions, which are intrinsically individual. The collective interest of the group or "public interest" of the state can never be expected to wholly coincide with the private, distinct interests of each citizen. Collective decisions have the added disadvantage of increasing our dependency and institutionalizing our mistakes. Political solutions especially are to be avoided whenever possible, since, by definition, they rely, at root, on the power of the state to compel and enforce.

And so our Federal Republic has gradually yielded to a centralized megastate, substituting concentration of power and collective control for decentralization and diversity, sometimes seeming to have more in common with other megastates than with the principles of liberty on which it was founded.

Chambers said: "The West believes that man's destiny is prosperity and an abundance of goods. So does the Politburo."

Is that all there is? Are we in fact prepared to purchase detente at the price of Sakharov and Solzhenitsen?

George Roche, the President of Hillsdale College, observed that "Freedom is the highest goal of a civilization. A man denied the chance to be a freely choosing moral agent

is in effect being denied the exercise of precisely that quality of his nature which distinguishes him as a man."

Our goals and beliefs are not material. We believe that our nation has more to be proud of than its productivity, that there is more at stake in our negotiations with the Soviet Union than mere questions of scale between corporate liberalism and bureaucratic collectivism.

Those who harbor an individualist faith must therefore reject a "most favored" relationship in which Brezhnev finds it convenient to downplay Soviet reaction to Watergate, in the hope that our officials will reciprocate by overlooking his domestic embarrassments, preferring that no irrelevant consideration of individual liberty in the Soviet Union interfere with their larger objectives of peace and profit. But the point is that, for us, there can be no larger objectives. Ralph Waldo Emerson said: "God offers to every mind its choice between truth and repose . . . You can never have both." You must choose. That is a fact which all free men must grasp.

At OEO, we were often required to observe that "You can't save America, unless people want to be saved."

Time and time again, we were ready to bite the bullet and make unpopular, but right, decisions, which required only that the local people, or the governor, or the board member who had done the complaining be willing to stand up in public for the view they conveyed so vehemently in private.

But, time after time, with some notable exceptions, despite our urging and our willingness to absorb the principal "heat", they found it easier to let the outrage continue, rather than endure conflict. (I might point out that we did manage to make a few unpopular decisions anyway, but the point holds.) You can't save them, unless they want to be saved. Silence is easier. Acquiescence is easier. But as Emerson said, you can't have it both ways.

If you value liberty, you must be prepared to suffer unpleasantness, to persist, to bleed a little.

This month, President Nixon will face one of those tough decisions, about OEO.

As we approach the expiration of OEO's current funding on September 30, he must decide whether to sidestep the prospect of liberal criticism and let that agency's operations continue further, or to exercise his power of veto and, with the stroke of a pen, supported by more than one third of the members of the House, put OEO out of business.

Such was his original plan—set forth to me last January. On June 30, without any need or intent to impound funds, in accordance with the President's Fiscal Year 1974 budget, OEO would have gone out of business, so long as the President refused to sign into law any further appropriation for the agency.

When June came, because of Watergate and the widespread liberal attack on him, the President decided to avoid a head-on fight at that time with OEO's friends. So he signed into law a continuing appropriation.

Now, as September 30 draws near, those of us who favored his original determination watch hopefully to see whether his Administration has regained the will and the capacity to carry forward the business of the people who supported his reelection.

With more acute concern, because the opportunity for corrective action, may not, in this case, soon recur, we will watch to see whether the power of veto is effectively used to prevent enactment of a legal services program which has for its goal political change, rather than client-responsive representation.

History's verdict on the Nixon Administration is not yet in; but those of us here tonight will help to write it.

A free people is obliged to keep their public servants accountable to those from whom they derive their grant of authority, their legitimacy in office, and the tax resources with which they underwrite their activities.

Free society requires a free people, imbued to the core with the spirit of liberty and independence from organizational control. We get only what we deserve and what we insist upon. We have only ourselves to blame for institutions which decry our values, rather than reposit and convey our heritage.

We are to blame for a generation of other-directed men and women, governed by relative norms, rather than absolute standards, who derive identity and personal esteem not from their achievement or adherence to self-defined values, but by adjustment to and acceptance by the group.

Individuals can change history. Conservatives especially should understand and appreciate that.

We can reconvert our hyphenated class-conscious hordes of critics and spectators back to a nation of individualist builders and participants.

We can produce a generation of politicians who will gain favor by opposing politicization and bureaucratization of decision-making. Learning from the mistakes of the past, we can expose the specious reasoning of a liberal establishment which pathologically projects itself in the role of underdog, justifying its perpetuation in power by alternately denouncing or obscuring the very failures for which it is responsible.

We too can help expose the false notion that conservative causes prosper on mythical doses of private wealth, all the while the organizational arms of the liberal establishment thrive on the profits of government protected business and automatic check-offs of cash from students, union members, professional people, and, of course, taxpayers.

We can also help expose that hypocrisy which, in the name of liberalism tramples the civil liberties of heretics against the new orthodoxy, by resort to innuendo, character assassination, guilt by association, and conviction by reliable source.

In seeking to shape history, we must also have a sense of history which affords us the humble recognition that we are part of a pattern which transcends our brief moment in time and rejects the present-oriented denial of our debt to the nation's past or our duty to her future.

At the same time, while acknowledging our relative insignificance in the span of a thousand years, let us act with the awareness that there *is* something special about America's role, which demands something extraordinary from us.

Jefferson said: "We feel that we are acting under obligations not confined to the limits of our own society. It is impossible not to be sensible that we are acting for all mankind."

At OEO, we ended many of our senior staff meetings with the admonition to stay on the offensive. Marshal Foch observed during World War I "Our left flank is battered. Our right flank is falling. Let us attack." There is wisdom and success in that advice. The outcome is determined by those with a vision of the result they seek, a plan for attaining it, and a boldness of execution. It is within your power and mine to shape the outcome of the events in which we now take part.

And in so doing, let us remember that what was true for Jefferson is at least as true today: We act, not just for ourselves, but for all mankind.

THE AMERICAN CRISIS

Mr. CHURCH. Mr. President, on November 2, it was my pleasure to address the North Idaho Chamber of Commerce, meeting in Sandpoint, Idaho.

I spoke, not from a text, but from notes. However, the speech was tape recorded, and later transcribed.

Inasmuch as the speech focuses on the most serious internal political crisis since the days of President Andrew Johnson, I ask unanimous consent that the edited transcript of this address be printed in the RECORD.

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

THE AMERICAN CRISIS

(By Senator FRANK CHURCH)

I'm glad to be here with you in such a beautiful place. I'm not going to speak at great length today because I would like to give you a chance to ask questions for a few minutes following these remarks.

But I do feel constrained to speak to you about a subject that faces us all. It's not a pleasant subject, but it is something that we must concern ourselves with, and face up to. I refer to the very serious internal political crisis that faces this country.

I speak today not as a Democrat and not as a partisan. After all, there is no difference among us, Democrats and Republicans alike, when it comes to the issue of honest government. So I speak to you as a fellow American concerned by the very sobering turn of events that has taken place in this country.

Thomas Paine said of the troubled days before the American Revolution that "these are times that try men's souls." The same could be said of this year of our Lord, 1973. It has been an incredible year, in which we have seen everything come apart at the seams. Each time that I have thought that things were as bad as they could get, they've simply gotten worse.

I wish you could read the mail I have received from Idaho during the past week. For then you would agree with me that we are in deep trouble. Idaho, as you know, is a conservative State; if it leans one way or another, it has traditionally leaned toward the Republican Party. Our people are not given to extremism in their views; they are sound people. Yet, during the past week, I have received nearly a thousand letters, telegrams and communications from Idaho alone, and they are running about 20 to 1 against the President. Most of them call for his impeachment. Meanwhile, the House of Representatives, as you know, has announced, through the Chairman of the House Judiciary Committee, that hearings will soon begin to determine if there are grounds for an impeachment proceeding. This is where we stand today.

Viewing the shambles, I can't help but ask myself how such an incredible turn of events has occurred within the short span of 12 months since the last election, when the President received an overwhelming landslide victory at the polls. If you will remember, the public knew before the last election about the Watergate break-in and the wire-tapping of the Democratic headquarters. And though these activities were illegal, and though it was then known that they had been traced to the Committee to Re-elect the President, the public disregarded the Watergate incident as a prank. The press, at that time, generally described it as an escapade. Spokesmen for the White House dismissed it as "just politics." The trial of those apprehended at the Watergate was put over until after the elections. It seemed, in view of the tremendous victory that the President won at the polls, that this was an incident—an episode—that would soon die.

That was the state of affairs in January. But when the trial of the "Watergate Seven," so called, was actually held, a very remarkable man, Judge Sirica—a Republican, incidentally, if that matters—who presided over

the trial, was determined that his court would not become the scene of a great injustice. The lid was really blown off by Judge Sirica who handled the case in such a way as to frustrate the attempt then being made to limit the prosecution to the men at the bottom. Judge Sirica was determined that if crimes had been committed, not only should the men at the bottom be held accountable, but that those above who had paid for and solicited the crimes should be held accountable, as well. That was in line with the tradition of justice in this country: we don't have one law for those at the bottom, and another law for those at the top.

And so began to unfold the extraordinary disclosures and events of this traumatic year, a year which led with the resignation of Attorney General Kleindienst, and the appointment of Elliott Richardson, who promised the Senate that his chosen Special Prosecutor, Archibald Cox, would be given a free hand to fully investigate and prosecute the Watergate case. The Senate, meanwhile, created the Senate Select Committee on Presidential Campaign Activities—the so-called Watergate Committee—which was charged by resolution to inquire into and expose whatever scandals had occurred, with a view toward corrective legislation.

Since then, the former members of the President's cabinet—Mr. Mitchell and Mr. Stans—have been indicted by a grand jury in New York on charges of seeking to improperly influence an investigation before the Securities and Exchange Commission. The acting director of the FBI, Mr. Gray, has resigned in disgrace after admitting that he burned evidence concerning the Watergate investigation then underway by the FBI. Several former White House aides, including Mr. John Dean, former counsel to the President, have pleaded guilty in Federal Court to charges stemming from the coverup of the Watergate crimes. Dean has directly accused the President of complicity in that coverup. A number of corporate executives have pleaded guilty to the violation of election laws and have been fined, and we are told that there will be others to come.

Mr. Ehrlichman and Mr. Haldeman, two of the most highly placed of the President's staff in the White House, have resigned, and criminal proceedings are pending against them, with an indictment already issued against Mr. Ehrlichman. The Vice President of the United States, Mr. Agnew, has resigned, pleading no contest to charges of evading income taxes, and the Justice Department has published a long list of other charges, including bribery and extortion, which it was prepared to bring against him in a criminal proceeding.

As for the President himself, he has for months opposed orders of the Federal Court to turn over certain tapes of conversations that the Court held to be pertinent to the grand jury's investigation of possible crimes committed. The President held that he was immune from the Court's order; that he stood in a privileged position, beyond the reach of the Court's decree.

On this proposition, his own Justice Department rebelled. Attorney General Richardson resigned rather than fire Mr. Cox, the Special Prosecutor. The President finally had to turn to the Solicitor General, Mr. Bork, to discharge Mr. Cox.

Then at the eleventh hour, faced with a storm of indignation from the people and rumblings of impeachment in the Congress, Mr. Nixon reversed himself and agreed to submit the tapes. Yet now we are told that the two conversations thought to be most incriminating were never taped: one having not been recorded in the first place, and the other having not been picked up because the supply of tape allegedly ran out!

That's where we stand today—at the brink of the most serious internal political crisis since the days of Andrew Johnson, the only American President ever impeached by the House of Representatives. I do not know how this crisis will be resolved. But I do know that there are dangerous misconceptions growing up that, for the sake of the Republic, must be dispelled.

I suggest that the worst of these is the "so what?" syndrome—the belief that "all politicians do it; this bunch just got caught."

In the first place, all politicians don't do it! In the second place, all politicians are not the President or Vice President of the United States! As a matter of fact, politicians have gotten a bum rap out of Watergate, and I say this as much for my Republican brethren as I say it for Democrats. The truth of the matter is that in all of this investigation of an unprecedented scandal—a scandal that seems to have no sides or bottom—there haven't been any elected officials involved at all, save for the White House itself. The people who have been principally involved, in the course of all of the hearings and all of the investigation, have not been men and women elected to public office. They have not been politicians. They have been appointed members of the President's own staff and of the Committee to Re-elect the President!

I can appreciate why Senator Biden, in Chicago this week, felt compelled to say that Mr. Nixon has done for politicians what the Boston Strangler did for door-to-door salesmen!

The second misconception stemming from this tragedy, one that is assiduously cultivated these days, is that the press is somehow the real culprit for exposing the scandals. This is tantamount to blaming the messenger for the message. That's as old as history. Atilla the Hun used to cut off the heads of messengers who brought him bad news. Surely we are more sophisticated than that. The question to ask is this: has the press misinformed the public? That's the question. And on the record, I submit the press has not. Rather, it has performed faithfully and well through this difficult year, under great pressure and with few exceptions. Its charges and revelations have been borne out almost in their entirety by subsequent investigations of the facts. We should be thankful we have this kind of a free press working in this country. If we didn't have it, the United States wouldn't long stay free!

Next, there is the misconception, also being pushed hard these days, that Watergate is being blown up out of all proportion, distracting us from more important things, and that as a result, government is paralyzed and unable to cope with our more pressing problems. This argument sounds plausible enough—until one addresses himself to it seriously, scrutinizes it, and tests it against the events of this year. And then it becomes an argument without substance. I say this as a member of the Senate: the truth is that Congress has not bogged down under the Watergate investigation. Only one Committee in the Senate deals with this investigation. While it has been holding its hearings, all the other Congressional Committees have been at work. As a matter of fact, in 17 years in the Senate, I can recall few years when we've been busier, across the whole broad spectrum of the legislative front. Congress hasn't been bogged down, and neither has the Executive Branch. We have just come through a most difficult and dangerous crisis in the Middle East. American diplomacy functioned, and functioned effectively and well, every day and every hour of that crisis. No, the Federal government has not been paralyzed by Watergate.

Finally, let me emphasize that it is completely untrue that Watergate and related scandals don't really matter that much. If we're going to preserve our system of government, nothing could be more mischievous than such a belief. I commenced these remarks by mentioning the deluge of letters and telegrams that have inundated my office in the past week. They betray, if you were to read them, a complete disillusionment with the government. Confidence is evaporating, and in a country which depends upon the people, free government cannot long endure without a broad measure of public confidence and support.

That is our predicament. It won't go away. I wish it would. But it won't until it is cleared up and cleaned up and the public is satisfied that the government has been purged of wrongdoing. Only then will public confidence be restored in our governmental institutions.

I would close these remarks by saying that, like you, I don't know what lies ahead. I don't know what will turn up next. But I do know that in a State like Idaho—where we are blessed with business that conducts itself openly and above-board; where we are blessed with labor that is not plagued with gangsterism; and where our politics are conducted in an honest and honorable way—an obligation falls upon us to do everything we can to bring our influence to bear at the national level, in order to advance in the country as a whole the same conditions of life that we know in Idaho. In the end, our fate depends entirely upon our nation's fate.

So we must join with all other people who want to see this scandal cleared up, who want to see public confidence in the government restored, who believe in the American system, and who are determined that it shall be preserved.

Nothing less will suffice.

WILDERNESS—A QUESTION OF PURITY

Mr. HATFIELD. Mr. President, questions relating to the administration of the 1964 Wilderness Act have been raised ever since its passage.

The question of just how pure an area must be to be designated wilderness has been particularly troubling in my State of Oregon. In one instance, after the Mount Jefferson Wilderness Area was created, the Forest Service quickly took steps to remove existing primitive facilities from the area. In another, the Forest Service steadfastly opposed my legislation to add the Minam River drainage area to the Eagle Cap Wilderness Area because of some horse logging which took place there in the early years of this century. I have long believed that such a rigid purist interpretation of the Wilderness Act is inappropriate.

Mr. Jeffrey Foote, chairman of the wilderness and forestry committee of the Oregon Environmental Council, recently addressed the Sierra Club Biennial Conference in Boulder, Colo. His topic was "Wilderness—A Question of Purity." Because I believe his paper accurately reflects the views of many of the conservation groups, I ask unanimous consent that it be printed in the RECORD.

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

WILDERNESS—A QUESTION OF PURITY

(By Jeffrey P. Foote)

Since its passage in 1964, the Wilderness Act has become a most significant piece of legislation for those of us involved in the

preservation of public lands. Although the Act certainly has its shortcomings, it has provided an effective and viable method for setting aside lands which we love and cherish. Now, 9 years later, the viability of that law as an effective preservation tool is endangered by an unwarranted, and unnecessarily strict interpretation of its vital definitional provisions. Sadly enough, the main adversary is that agency charged by law with its management.

FOREST SERVICE INTERPRETATION

The U.S. Forest Service is espousing a wilderness "purist" position that is, not only contrary to the Act itself and its legislative history, but is contrary to its earlier actions as well. Regardless of the provisions of the Act, the Forest Service policy has been to oppose wilderness designation to areas that have been intruded on by man. This nonvirtuous concept of purity has become an effective anti-wilderness tool. It is important for us, as wilderness advocates, to understand the Wilderness Act and how this interpretation is being used against wilderness.

The key phrases in the Wilderness Act definition over which the conflict is centered, are that the earth and its community of life are "untrammeled by man" and that the imprint of man's work is "substantially unnoticeable."

I understand from my research that the original drafters of the first Wilderness Bill were very troubled over the word untrammeled because it appeared to have a rather archaic usage. But, it was used because it is the word that appropriately describes their concept of wilderness. The word means: Not confined or limited, not hindered, free and easy. It does not mean undisturbed, or untrampled, as some would suggest.

The words substantially unnoticeable should be treated as a flexible working definition of wilderness. The phrase is ambiguous, but with purpose. It allows for a feeling for the overall character of the land, not one insignificant intrusion. This idea of a flexible working definition is borne out by the legislative history of the Act.

The Forest Service does not treat the words as a working definition. They instead look to them as a rigid and inflexible requirement. For example, two Southeastern Regional Foresters, in a proposal for a Wild Lands East Program, claim that: "We are persistently reminded that there are simply no suitable remaining candidate areas for wilderness classification in this part of the National Forest System." This is not a decision for that agency to make; it is a Congressional decision. But it is easy to see how such a decision could be reached when you consider the Forest Service criteria.

Chief John McGuire in his February 21 statement on the Eastern Wilderness Bill, S. 316, revealed what standards the agency uses. "In interpreting the Wilderness Act the Forest Service has placed emphasis on areas which have almost entirely retained their primeval character and influence, rather than those areas which have been restored to a natural appearance. Prior to the Wilderness Act and now under its definition, we considered 'Wilderness' as a unique, non-renewable, predominately undisturbed natural resource." There is absolutely no basis for this policy in the Act or in any of its legislative history. Nowhere does the Act say that a wilderness must be unique, or undisturbed. The words again are, untrammeled and substantially unnoticeable. Nowhere does the Act say that a wilderness cannot have been restored to its natural character. In fact, this position lacks support even in the Agency's earlier policies. On May 13, 1964, four months before the Wilderness Act was signed into law, the Forest Service, knowing that it would automatically be included in the National Wilderness Preservation System, established the Shining Rock Wild Area in North Carolina. The following language is found in their Wild Area proposal:

"In determining the best and most logical boundaries for the Wild Area, it was necessary to include a portion of the drainage of Ugly Creek covered by a timber sale contract which expires December 20, 1963. About 500 MBF are left to be cut and the operation will be completed this year. The skid trails and log landings will be revegetated and otherwise treated as necessary to hasten natural recovery and prevent vehicular access."

AN ILLUSTRATION: THE MINAM RIVER

The dispute over the Minam River in the Wallowa-Whitman National Forest in Oregon serves as a good illustration of the conflict over Wilderness purity. A portion of this beautiful area was opposed for Wilderness mainly on the purity question. The situation is this: First of all, there are two guest or dude ranches within the area. These ranches are well within the proposed Wilderness with no roads leading to them. But the Wilderness Act allows for inholdings or private rights. Section 4(c) says: "Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise or permanent road. . . ." Senator Church discussed the matter on the floor of the Senate prior to the passage of the 1964 Act. He said, in reply to a question concerning condemnation, that ". . . there are in my state in holdings—ranches—which were homesteaded many years ago and lie within primitive areas. We want to be perfectly sure that the owners of these ranches were guaranteed the customary usage of their property for ingress and egress according to the customary ways." This statement certainly indicates that ranches, such as those on the Minam, are acceptable as private right inholdings within the Wilderness. As a matter of fact there exist in the adjoining Eagle Cap Wilderness on Aneroid Lake, a small general store and five small cabins. With this sort of precedent, inclusion of the ranches in the Wilderness is certainly within the framework of the Wilderness Act, as contemplated by the Congress that passed it.

A second objection raised by "purists" is that this area is unsuitable for Wilderness because a small portion of it was logged. This logging only involved 1,600 acres and was done by horse prior to 1924. The cutting was selective and stands of large trees are present throughout the area. Compare this to 80,000 acres of the Bob Marshall Wilderness that was horse-logged after 1900.

Another objection to inclusion of this area is a small field used as an airstrip by the dude ranches. Purists claim this is not of the Wilderness character. On the contrary, it is specified in the Act that "within Wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue. . . ." There is now, for example, an airfield in the Bob Marshall Wilderness in Montana. The Wilderness Act, as applied in the past by Congress, certainly allows the entire Minam River area entry into the National Wilderness Preservation System.

AGENCY PROTECTION: THE CASE OF FRENCH PETE

The Wilderness Act is a tool to afford absolute protection to these "questionable" areas before they are irreparably abused. This is protection of law, not agency protection, which is all that is offered under any Forest Service classification scheme. This distinction is important. If an area carries only agency protection, it can be withdrawn at the discretion of that agency, without public approval. The shortcomings of administrative protection have been driven home to Oregonians with the symbolic case of French Pete.

The French Pete Valley is a 19,200 acre watershed, 55 miles east of Eugene, Oregon, on the Willamette National Forest. It is one of the last valleys in the western Cascades that has not been roaded or logged. Its values as a Wilderness area are beyond question. Yet, this area has been the center of controversy since the early 1950's.

At that time French Pete was part of the Three Sisters Primitive Area. When the Forest Service reclassified the area to Wilderness, they excluded about 55,000 acres. Part of the exclusion was the French Pete Valley. This decision was met by strong public opposition. A public hearing was held in February, 1955 in Eugene. A great majority opposed the decision of the Forest Service.

The exclusion was also opposed by the majority of the Oregon Congressional delegation, including Senator Richard Neuberger and Senator Wayne Morse, as well as Representatives Charles Porter, Edith Green, and Al Ullman.

Despite this opposition, the Forest Service plan stood intact. Senator Neuberger and Senator Morse each made strong statements before the Senate in 1957. Senator Neuberger's remarks are especially significant in that they were made in his comments as he joined Senator Humphrey in introducing the first Wilderness bill.

"Mr. President, the urgent need for some form of Congressional action to safeguard these scenic realms has just been indicated by the decision of the Department of Agriculture to remove from the Three Sisters Wilderness Area of Oregon some 53,000 acres of majestic forest canyons and ridges. . . .

"I am not assailing, or attacking, or criticizing anyone in the Forest Service or in the Department of Agriculture for the Three Sisters decision. What I am saying is this: Such a decision is virtually for eternity . . . So final a verdict, Mr. President, ought to be reviewed by the Congress of the United States and it should not be merely within the fiat of the executive agency. The Congress, after all, is the supreme policymaking agency of the American people, to whom these national forest solitudes actually belong."

Now, fifteen years later, after administrative appeals and Congressional legislation, the battle still rages in the fight to save French Pete.

This is only one example of what agency protection has meant to conservationists in the past. The lasting protection is that of law, which only Congress can erase.

EASTERN WILDERNESS: S. 316 AND S. 938

The whole conflict over the definition is coming to a climax in this Congressional session. The Senate has two Bills before it dealing with Eastern Wilderness. One is the Jackson Bill, S. 316, the other is the Administration Bill, S. 938. It is in consideration of these opposing measures, that Congress will probably settle this particular controversy. S. 316 would establish 18 new wildernesses in the Eastern United States, within the definition of Wilderness found in the 1964 Act. S. 938 would amend the 1964 Act to set up separate classification systems for the East and West.

S. 938 allows the Secretary to consider for wilderness review those areas in the Eastern United States ". . . where man and his own works have once significantly affected the landscapes but are now areas of land (1) where the imprint of man's work is substantially erased; (2) which has generally reverted to a natural appearance; and (3) which can provide outstanding opportunities for solitude or a primitive and unconfined type of recreation."

The effect of this provision is not to change the definition of Wilderness as in the

1964 Act, but to prohibit the Secretary from considering areas in the West which conform to this separate list of characteristics. Thus, an area in the West where man and his own works have once significantly affected the landscape, where the imprint of man's works is substantially erased, and which has generally reverted to a natural appearance would not be considered for review by the Secretary. This language does not lower the standards for wilderness in the East. Rather, it creates a new and purer standard of wilderness in the West. By limiting the Secretary's authority to consider for review such less than pure areas in the West, the proposed amendment would exclude, even from consideration as wilderness, many Western areas which fully qualify, under the definition specified in the 1964 Wilderness Act.

A close analysis of this separate Eastern definition indicates that it is within that definition in the 1964 Act. It is important, to maintain the integrity of the National Wilderness Preservation System, that S. 316 be enacted into law, and S. 938 be rejected.

This "purity" position can be used by the Forest Service and others as an anti-wilderness tool. An illustrative case was discussed in the hearings on S. 316 by Senator Mark Hatfield.

Discussing the Marion Lake area of the Mt. Jefferson Wilderness the Senator said:

"After the legislation was signed into law, the Forest Service moved quickly to remove existing basic amenity facilities such as outdoor toilets because, in the words of the Forest Service, they were 'wholly inconsistent with the wilderness experience.' I point out this issue of privy type toilets because the lake itself—not the amenities—is a magnet which attracts people. Removal of the toilets, as well as a primitive pump for water, increases the potential for disease of such a heavily used area.

"Primitive fire rings which minimize fire danger were also removed. I would not have expected the Forest Service to construct these facilities after the area was designated Wilderness, but I was amazed at the removal of all these amenities. It was almost as if the Forest Service was determined to get back at Congress for passing the Bill."

The cross-examination of Chief McGuire revealed his rationale for the Forest Service position. Discussing his distinction between the two Bills (S. 316 and S. 938) he stated:

"A restored lands definition of wilderness for all national forest lands could markedly reduce the management options for a greater portion of the national forests in the West."

Senator Floyd Haskell, the Subcommittee Chairman, attempted to alleviate the Chief's fears. He said: "I think the cat is now out of the bag. What I gather now is that you are afraid all of the area that qualifies under the definition will be designated as wilderness. You seem to fear that just because an area meets the definition it will be included." Senator Church underscored this when he directed the Chief to "bring the proposals up here, Congress is the final judge of what goes into wilderness and what does not."

CONCLUSION

The Forest Service, and others who follow the "purist" interpretation of the Wilderness Act, are ignoring the writing on the wall. This position is being used solely as an anti-wilderness tool. The timber industry does not want a wilderness in heavily forested areas because this gives the area the enduring protection of law, reversible only by Congress. It is no secret that it is much easier for the Forest Service to manage an area without the Wilderness classification even though one of the purposes of the Act was to take away this discretionary power from the agency and give it back to Congress.

It is important to secure many of these "impure areas" for wilderness due to a shortage of wilderness acreage. The Wilderness Act is a tool to afford absolute protection to these areas before they are irreparably abused.

The Forest Service has different programs designed to give these areas protection, but only agency protection, not the protection of law. Examples are back country and special interest areas. These proposals are not adequate. They can only lead to more unpopular decisions and more French Petes. The Forest Service amendments to the Wilderness Act, S. 938, are also quite inadequate. They place, in a special Eastern Wilderness category, areas that are already qualified for wilderness in the 1964 Act. The effect of this would be to disqualify many areas in the Western United States that are presently qualified.

A better alternative is to look to the legislative history of the Wilderness Act for support and allow these areas, such as those in the Eastern United States, into wilderness. S. 316 is one vehicle to accomplish that purpose. In time, these impure intrusions will be referred back to the natural scene. Senator Frank Church put it this way: "This is one of the great promises of the Wilderness Act, that we can dedicate formerly abused areas where the primeval scene can be restored by natural forces so that we may truly have a national Wilderness Preservation System."

TRIBUTE TO RICHARD STROUT

Mr. MONDALE. Mr. President, a recent article in the Wall Street Journal has given deserved recognition to one of the deans of the Washington press corps, Richard Strout.

For over 50 years, Dick has been recording and commenting on the feats and foibles of Washington politics. Writing for both the Christian Science Monitor and—as TRB—for the New Republic, Dick has consistently demonstrated a style and grace that are rare and engaging. His comments on politicians of all persuasions have been perceptive and often biting; his influence has been substantial.

I urge my colleagues to read this profile of a most remarkable man. Mr. President, I ask unanimous consent that the article from the Wall Street Journal be printed at the conclusion of my remarks in the RECORD.

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

WITNESS TO HISTORY—REPORTER DICK STROUT HAS SEEN PRESIDENTS, SCANDALS COME AND GO

Harding, Teapot Dome were news when he hit capital; but "Watergate is worse"—no sex or cash, just power

(By Ronald G. Shafer)

WASHINGTON.—Reporter Dick Strout doesn't have to dig through the history books for parallels between the Senate Watergate hearings and those into the old Teapot Dome scandal. He was there—50 years ago this fall—sitting in the same Senate caucus room and writing as he does today, for The Christian Science Monitor.

Obviously, some things have changed, Mr. Strout notes. For one thing, the subject is campaign dirty tricks instead of oil leases and bribes. And there's the conspicuous presence of that newfangled medium called television.

But "except for the hot lights, you would almost think you were back in 1923," reminisces the 75-year-old newsman.

Thanks to Watergate, Richard Lee Strout's ringside perceptions of history are in fresh demand. But his reputation is built on far more than longevity. He has covered more major news events than any other reporter in the Monitor's 65-year history. And for 30 years now, he has also been probably the most influential anonymous columnist in the business—for Richard Strout is the author of the column called "TRB From Washington" in The New Republic magazine.

As a result, Dick Strout's reputation "is very high indeed, because he's got a combination of qualities that very few people have," says James Reston of The New York Times. "First of all, the guy is a beautiful writer. And he must have an extra gland because he still runs around like a kid."

Admirers agree that Dick Strout has a rare ability to explain complex issues with clarity, insight and homespun humor. He writes with the descriptive style of a novelist. People in Strout stories come alive with "owlish" faces, "fierce" mustaches, "carbuncle" noses and "spidery" frames.

About two decades ago he wrote a critical column about a man with a creased-leather face and an ego as big as the Washington Monument. The man's name was Lyndon B. Johnson, and he promptly hauled Mr. Strout into his ornate Capitol Hill office to complain. The Senate majority leader was seated behind "the biggest desk in the world, with pushbuttons like an organ," Mr. Strout remembers, "and every time he pushed a button, someone would appear."

AN IMAGINARY BABY

For an hour, TRB received the full LBJ treatment. At one point Johnson complained that he was being treated "like a motherless child," and suddenly, the columnist recalls, "he jumped out of his chair and strode up and down the room, rocking an imaginary baby in his arms." Mr. Strout left unconvinced that he was wrong but amazed that a powerful politician "would waste an hour of his time trying to convert me."

As the episode indicates, Dick Strout is a tough-minded but unassuming newsman. He is—as he might put it—a tall, lean and lively man with fierce bushy eyebrows, an unfierce gray mustache and a weathered bald head. He speaks with a gruffness in his voice, but there is a twinkle in his eye. "Beneath that crusty exterior is a real softie," confides a friend, "but we'd never tell *him* that."

Mr. Strout was born in Cohoes, N.Y. After graduating from Harvard, he worked for a while on newspapers in England, then began his American journalism career with the old Boston Post in 1921. After two days, he switched over to the Boston home office of the Monitor. And about two years later—having by now picked up a Harvard M.A. in economics—he was driving his Model T Ford down to the Monitor's Washington bureau.

"All of a sudden, there I was over there in that big house," Mr. Strout says with a wave of his hand at the White House as he sits dining on his daily liverwurst sandwich and milk shake on a park bench across the street. And there was President Harding, dressed in knickers and telling reporters assembled for a press conference: "Take it easy on me, boys, I want to get out and play some golf."

BACK IN THE CAUCUS ROOM

Since then, reporter Strout's career reads like an on-the-job history course. He has attended the press conferences of nine Presidents. He was on one of the first cross-country airplane flights. He reported from Normandy Beach during the D-Day invasion. He accompanied Russian Premier Nikita Khrushchev when he toured the U.S. in 1959. And he wrote the Monitor's front-page story when Spiro Agnew resigned as Vice President.

But the U.S. Senate, and particularly its historic hearings in the cavernous caucus

room, have provided some of Mr. Strout's biggest stories. Teaport Dome, the Kefauver hearings into organized crime, the Army-McCarthy hearings, the Bobby Baker inquiry—he has witnessed them all. Now it's Watergate, and Mr. Strout is back in the caucus room again.

He sees similarities to Teapot Dome: "Letters to the editor in 1924 charged that the press was carrying things too far," and "readers shrugged and said both parties were alike and it was all just politics." But he is outraged by what he perceives as a crucial difference.

Watergate "is more disturbing and dangerous" because it "is a special kind of corruption without greed," he wrote in a TRB column. "No sex, no dollars. Just power, it doesn't strike at oil leases, it strikes at democracy."

The weekly column provides Mr. Strout—who, as one press scholar puts it, "shows no hint of his own leanings" in news stories—an outlet for his personal views. He took it over in 1943 from Kenneth Crawford, who later became a Newsweek columnist. "He told me it would be easy," Mr. Strout says. "All you have to do is get mad at somebody once a week and spit in their eye."

Mr. Strout inherited the column signature, TRB. It was dreamed up by a New Republic editor who simply reversed the initials of the subway line that then carried copy of a Brooklyn printer—the Brooklyn Rapid Transit (BRT). But Mr. Strout still refers to TRB as "The Rover Boys" because the column sometimes was—and on occasional weeks still is—written by more than one man. The New Republic pays him $175 a column.

Even today many New Republic readers don't know the identity of the man behind the initials. In September TRB received a letter from a reader who, assuming the current writer took over only about five years ago, wrote reassuringly to say "how much better your prose is" than at first, and how "it has been especially in the last year that your writing has seemed to solidify."

Under Mr. Strout, "TRB from Washington" has become The New Republic's most-read feature, and now it also is syndicated in 35 newspapers. The column reflects Mr. Strout's generally liberal views, though he steers an independent course. In 1968 when the magazine refused to endorse Hubert Humphrey for President because of his ties to Johnson administration war policies, TRB—an early war critic—backed HHH anyway.

"In the past 10 years or so, I've let myself go more about using the first-person singular," says Mr. Strout. And he often uses personal recollections to make points, as in this TRB column a few years ago:

"When I was a child at my grandfather's farm, they used to kill pigs in the fall. They tied them up by their hind legs shrieking and squealing before they slit their throats. Once we children bitterly protested, but the hired man was reassuring.

" 'They like it,' he said firmly.

"Today he's in Congress, voting against the poverty program."

Such views spark strong reactions from conservatives. A few write nasty letters like: "You sewer rat, may you be cursed with all plagues." But most are more respectful.

"I disagree with most of TRB's columns," says conservative columnist James J. Kilpatrick. "But I follow his stuff regularly. There's a good deal of wisdom there. He always puts it pleasantly, with just enough lemon juice."

So far, nobody is being groomed as Mr. Strout's successor. "He's unmatchable, I don't think we'll ever find anybody quite like him," says Gilbert Harrison, The New Republic's editor-in-chief. "But I'm not concerned about it. I think he'll live forever. If anything, his writing is livelier than it ever was."

Whether as TRB or as a Monitor reporter, Mr. Strout has been an eyeball-to-eyeball observer of Presidents for more than 50 years. Each, he says, had his own style.

Calvin Coolidge, for example, answered only written questions. So one time Mr. Strout and 11 other reporters tried to pin down the President by craftily submitting identical questions: Would he be a candidate in 1928? "Coolidge looked at the first question and put it aside," recalls Mr. Strout. "He went from the second to the 11th. At the 12th, he paused, read it (silently) and went on dryly—'I have a question on the condition of the children in Poland.' " The President answered the nonexistent question and, with that, concluded the press conference.

Mr. Strout has his private presidential evaluations. "I rate Roosevelt first without a doubt," he says, and President Truman "was as brave as they come." Lyndon Johnson "in many ways was a son of a bitch, but he had a compassionate heart." The latter is evaluation favorably colored by Mr. Strout's lasting admiration for LBJ's "We Shall Overcome" voting rights speech to Congress in 1965.

A WILLINGNESS TO AGGRANDIZE

Mr. Strout is reluctant to evaluate President Nixon yet. But his writings make it clear he's no fan of the man he has called "the most aloof President in history."

He worries that "presidential power has grown enormously"—largely because Congress has been "too lazy" and Presidents only too willing to aggrandize their office. "There's a feeling that once you sleep in Lincoln's bed, you become deified," he says. "It's a dangerous thing."

Mr. Strout, who is not a Christian Scientist but a Unitarian, works out of a small office in the modern, fortress-like Monitor headquarters here. Despite the modern decor, he continues to use a wooden roll-top desk he inherited from a former Monitor Washington bureau chief. The desk has an indented pearl button on its right-hand side. "When you push it," he explains, "nothing happens."

He continues to put in a full workweek at the Monitor, with the understanding that he is free to write his TRB column there on Wednesdays. Nowadays, he specializes in "color," or feature, stories for the Monitor itself, and maintains that he's still there only because "I've become sort of a holy cow." He suggests that this article merely report: "The old reporter says modestly that all he has been is a good competent hack."

His co-workers disagree with that assessment. "He's still here because he pulls his weight as well, or better, than anyone in this office," asserts Godfrey Sperling, the Monitor's Washington bureau chief. "He can move fast on a story. Boom."

"He can on occasion be grumpy, too," says an ex-Monitor staffer with a chuckle. "If he thinks somebody is putting forth 'utter claptrap,' he'll get up and leave."

SHUNNING THE SOCIAL CIRCUIT

Instead of personal contacts, Mr. Strout relies on reading everything he can get his eyes on, then attends congressional hearings and makes "first-hand observations" for additional material. He shuns the Washington social circuit; for relaxation he attends plays or reads aloud to his wife, Ernestine.

Mr. Strout used to drive to work in his Model T, which he parked on the ellipse behind the White House. Nowadays he commutes by bus from his four-bedroom home in Northwest Washington. The house was purchased over 30 years ago with proceeds from his 1939 best-selling book, "Maud," based on his mother-in-law's diary.

The house seems somewhat empty now since the five Strout children have grown and scattered around the world. They include a son and two daughters by Mr. Strout's first wife, Edith, who died in 1932. He married Ernestine in 1939, and they had two more daughters. None of the children have gone into journalism, but they have "enough degrees to start a university," he says proudly.

Journalism isn't a career that Mr. Strout recommends lightly. He advises young people to "stay clear of it unless they have a passion and dedication. The pay is not very good, and the excitement is apt to pall after a while. The sustaining element is the commitment, the feeling that you are doing some good in the world."

After more than a half-century on the job, friends say Dick Strout has lost none of his passion and that he still gets excited as a cub reporter over big news events. At a 50-year anniversary celebration two years ago, when the Monitor presented Mr. Strout with a round-the-world airplane ticket, Godfrey Sperling summed up his colleague this way: "He is the Monitor's oldest reporter; he is also the youngest."

COMMUNICATIONS SATELLITES

Mr. MOSS. Mr. President, almost 30 years ago Arthur Clarke, the visionary British writer, saw synchronous communications satellites as one of the major benefits of a space program. His prediction was made far in advance of what was to be the beginning of communications satellites.

Although much scientific discussion took place before 1958, real effort in this field began with the founding of the National Aeronautics and Space Administration. Years of NASA research have been punctuated by debate on the merits of various technical approaches. Learned experts and major American corporations became involved in controversy over complex concepts such as low altitude versus synchronous satellites and passive versus active satellites. Through all of the debate NASA management and technological know-how provided a focal point for the necessary research to enable selection of optimum approaches.

By 1962 the vast potential of communications satellites became recognized to the point that, after extended consideration and debate in the Congress, the Communications Satellite Act of 1962 was passed. This act created a corporation for the establishment, ownership, operation and regulation of a commercial communications satellite system.

NASA has engaged in a vigorous research and development effort for the past decade and a half in communications technology. The first successful NASA synchronous communications satellite, SYNCOM 2, was launched July 26, 1963. Under present plans, the last launch of a NASA satellite primarily involved in communications experiments will be the launch of the ATS-F satellite next spring. With that launch, significant NASA effort in communications satellites will end on the premise enunciated by the executive branch, that private industry is now in a position to carry forward the research and development necessary for future communications satellites.

Leaders of the U.S. aerospace industry voiced great concern over the future of communications satellites to the Committee on Aeronautical and Space Sciences during hearings held on September 26 and 27.

The purpose of the hearings was to inquire into our future capabilities of obtaining the objectives specified in the National Aeronautics and Space Act of 1958.

During the testimony of the eight witnesses, recognized leaders of industry, five cited communications satellites as a prime example of the positive applications of space technology. Two of these knowledgeable gentlemen specifically highlighted their opinion that NASA should retain responsibility for basic science and technology including that in communications satellites. They favored NASA emphasis on mission management and the science and applications technologies, allowing industry to assume fuller responsibility for design and development.

These same two witnesses were concerned about the executive branch decision, announced last January, to remove NASA from communication satellite research and development.

They feel that the past success of the industry in commercial exploitation of communications satellites was rapid and successful only because of the early work by NASA on flight hardware and multiple approaches to the problems that had to be solved. NASA operational evaluation reduced technical risk to an acceptable level for commercial development.

The potential technological advancement in communications satellites is great. Potential commercial customers want communications channels with guaranteed life based upon well proven technology. In the present environment of a rapidly expanding market, aerospace spokesmen say that the private sector cannot afford the gamble of providing advanced research in such a vast field. Since this is the case, the desired level of international competition may be difficult to maintain.

There is disagreement as to how much responsibility NASA should retain, but I support NASA involvement in continued research in communications satellites as basic to their responsibilities under the National Aeronautics and Space Act of 1958 and the Communications Satellite Act of 1962. Unless that responsibility is maintained, the United States could quickly fall behind in this important field. This is particularly true when one recognizes the vigor with which many other nations are supporting such research in an effort to gain a greater share of the potential rewards or themselves.

I do not believe that the United States must be the world leader in every area of technology. But especially in those areas where we now have a clear lead, we should carefully examine whether we want to casually abandon our lead by conscious default.

There is great interest by industry to pick up many of the NASA research programs, and develop them into useful products and systems. I am confident this can be done.

But if NASA does not resume its pioneering technology work in the communications satellites, I am convinced we will be faced with a serious shortfall of communications technology in the future.

Mr. President, the testimony of our witnesses so clearly expresses the need for NASA to maintain this basic responsibility that I ask unanimous consent to print a portion of their comments in the RECORD at the conclusion of my remarks.

I strongly urge the administration to reconsider the decision to abandon our research in this area, which holds such promise for the betterment of mankind.

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

EXCERPT FROM THE STATEMENT OF DR. WERNHER VON BRAUN BEFORE THE SENATE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES, SEPTEMBER 27, 1973

I also cannot emphasize too strongly how unfortunate I feel it is that budget limitations seem to be forcing NASA to abandon its fifteen-year involvement in the further development of advanced technology for communications satellites. Caught in a budget pinch, even inside NASA the argument has been made occasionally that communications satellites have developed into such an industrial success story that private enterprise should be able to raise enough R & D money to experiment with more advanced but still unproven communications technologies. From my new vantage point in a private corporation which is deeply involved with advanced communications satellites, let me assure you, gentlemen, that this is wishful thinking. Customers, whether domestic or international, want satellite communications channels with a guaranteed revenue-producing life of seven years or more, and they don't care a hoot what technology you use, as long as it is well-proven. On the other hand, the potential of technological advancement in this new field, whose surface we have hardly scratched, is almost unlimited. There is great potential in the use of higher frequencies, in laser beams communication, in switching satellite beams by ground signal from one ground target to another, in increasing satellite transmitting power so the cost of ground stations can be drastically reduced, to name just a few. In the fiercely competitive environment of the rapidly expanding communications satellite market, no private company can take the gamble of offering unproven technologies to its customers. The few commercial giants in the communications fields may indeed be the only ones who can afford to sink a few million dollars here and there in a little experimentation with new-fangled ideas, but their overall record in advancing the field of communications satellites has been so disappointing that the Federal Communications Commission wisely decided to open up the field to a pack of lively, smaller and less sated competitors. If NASA were to permanently discontinue its pioneering technology work in the communications satellite area, it would virtually reverse that FCC policy and give the game back to the established monopolies who, in view of their vast investments in old-fashioned wire communications, never had much of an incentive to explore the satellite potential in the first place.

The space program has done a lot of wonderful things for the human spirit, for the advancement of science and for the direct benefits of man. Only history can properly assess the lasting significance of these contributions to the human spirit and to science. When it comes to the direct benefits, however, we can make some judgment now, and I would give the highest rating to the communications satellite.

EXCERPT FROM THE STATEMENT OF MR. DANIEL J. FINK, VICE PRESIDENT AND GENERAL MANAGER, SPACE DIVISION, GENERAL ELECTRIC CO., BEFORE THE SENATE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES SEPTEMBER 27, 1973

We are not comforted by the recent decision to remove NASA from communication satellite R. & D., on the assumption that industry and common carriers are now ready to take on the full burden of R. & D. with no further government stimulus. This seems to us to be an illusion, fostered by the phenomenal success of these operational systems. What is forgotten is that in the early 1960's NASA went into flight hardware with multiple approaches to the problem: The Echo passive reflectors, the Relay low-altitude repeater, and Syncom. Commercial exploitation was rapid only because this relatively expensive three-way evaluation, paid for by NASA, reduced the technical risk to an acceptable level. Thus U.S. companies gained viable footholds in international markets. Similarly, NASA exploratory flights of competitive technologies have led to more advanced operational systems through the late 1960's and now into the 70's.

Now, Canadian, Japanese and European organizations, with heavy government backing, have technical capability approaching that of the U.S. are willing to take high risks. In this environment, we can expect a U.S. publicly owned company to risk $50 to $100 million for developments in the arena of Direct Broadcast Satellites or other more distant capabilities on which the payoff may not come for ten years? Since this R. & D. has heavy technical and market risks, in addition to high costs, a more likely outcome is that the on-going, foreign government-sponsored programs, and not U.S. private industry, will assume the R. & D. prerogative. As a byproduct, leadership in new technology would pass from this nation by the end of this decade, because technology will move forward whether we choose to move with it or not. If NASA ten years ago had been subjected to the pressures for quick commercialization that now exist, it is doubtful that either the communications satellites or meteorological satellites would be in their present advanced state of development.

What we may have seen here is a loss of perspective in determining the most efficient way to remain viable in a highly competitive international marketplace. NASA has shown great resourcefulness in assuming the front-end risks in communications satellites, leaving commercial companies and common carriers free to devote maximum resources to competition in the services and markets they know best. In communications satellites, we may have seen the end of this productive relationship.

We know that foreign companies also have high capabilities in the technologies for environmental, meteorological, and earth resources satellites. We can expect them to be highly competitive in these fields. If the U.S. charter for continuing research and development in these systems, and its cost and risk burdens, pass too quickly from NASA to user hands, the U.S. could lose its competitive position. With it would go most of the basic R. & D. investment which NASA alone was willing and able to make during the costly gestation periods of these developments.

THE NEED FOR AN INDEPENDENT PROSECUTOR

Mr. BAYH. Mr. President, a number of Washington's most distinguished lawyers have addressed an open letter to the Congress expressing their deep concern about the current circumstances

where the President is now, in effect, investigating himself. They express the strong view that the constitutional provision commands that the President "take care that the laws be faithfully executed" requires that the President disqualify himself from investigation into alleged misconduct within his own office, and they call upon us to "move swiftly to end this crisis before it saps our national spirit," and to provide by statute for a independent prosecutor to be appointed by the courts. I ask unanimous consent that the text of their statement be printed in the RECORD.

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

AN OPEN LETTER TO THE CONGRESS FROM GROUP OF CONCERNED LAWYERS, OCTOBER 26, 1973

The undersigned members of the District of Columbia bar urge immediate enactment of legislation reestablishing the Office of Special Prosecutor as an independent agency insulated from the Executive Branch.

Under the rule of law, no man may be judge or prosecutor in his own case. An investigation which may uncover evidence that the President or his associates have obstructed justice, or committed other crimes cannot be entrusted to officials subservient to him.

The Constitution commands the President to "take Care that the Laws be *faithfully* executed." Surely this mandate, under the rule of law, requires the President to disqualify himself from investigation into alleged misconduct within his own office.

It was for these fundamental reasons that the Senate Judiciary Committee, reflecting the conscience of the public and the Congress, called for the creation of an independent Office of Special Prosecutor with authority to pursue the truth wherever it led. It is for these same reasons that the President's dismissal of the Special Prosecutor and abolition of his Office present a grave threat to the rule of law.

A society based on law must maintain public trust in the integrity and impartiality of the processes of justice. The President's recent actions have shaken that trust. The legal profession, above all, must speak out.

It is not enough that the President, under an avalanche of protest, decided not to defy court orders. A shocked and fearful country needs certain assurance—in the form of an Act of Congress—that the investigation will go forward without delay or impediment; that all leads will be pursued; that all relevant evidence will be sought and promptly produced, and none shielded behind a wall of executive privilege; and, most vitally, that prosecuting officials will not be subject to the authority or control of the President. No prosecutor within the Executive Branch, however able or vigorous or honorable, can satisfy this need.

We call upon the Congress to move swiftly to end this crisis before it saps our national spirit. The United States District Court for the District of Columbia should be empowered to appoint a Special Prosecutor with express authority to sign indictments as attorney for the government. The functions, personnel, and files of the deposed Office of Special Prosecutor should be transferred to the new statutory Special Prosecutor, whose tenure and full powers of investigation and prosecution should be explicitly defined in the statute.

The law we urge would indeed be extraordinary, but not more so than the circumstances requiring its enactment. Its constitutionality is beyond serious question. Article II, Section 2, provides that "the Congress may by Law vest the Appointment of such inferior Officers, *as they think proper*, in the President alone, *in the Courts of Law*, or in the Heads of Departments." In the present situation of actual or apparent conflict of interest within the Executive Branch, vesting appointment of the Special Prosecutor in the courts is proper. It is also necessary; nothing less will restore the people's confidence that ours is still a government in which no official is above the law.

Respectfully,

Frederick B. Abramson, Jerome Ackerman, Albert E. Arent, Frederick A. Ballard, John Bodner, Jr., Edward Burling, Jr., Edmund D. Campbell, Austin F. Canfield, Jr., Mortimer M. Caplin, Manuel F. Cohen, Mitchell J. Cooper, Lloyd N. Cutler, John W. Douglas Charles T. Duncan, Philip Elman, Ben C. Fisher, Eugene Gressman, John B. Jones, Jr., Robert H. Kapp, John E. Nolan, Jr., John H. Pickering, E. Barrett Prettyman, Jr., Daniel R. Rezneck, Franklin M. Schultz, Robert L. Wald.

SMALL TOWNS FACE UNCERTAIN FUTURE IN THE UNITED STATES

Mr. SPARKMAN. Mr. President, in the Birmingham News in its Sunday issue of November 4 there was a most interesting article entitled "Small Towns Face Uncertain Future in the United States." Believing that all of us are interested in the future of the small towns of America, I ask unanimous consent to have it printed as a part of my remarks in the RECORD.

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

SMALL TOWNS FACE UNCERTAIN FUTURE IN THE UNITED STATES

(By Al Stanton)

The population experts say that by the year 2000, 18 counties in North Alabama will make up approximately the 15th largest "urban region" in the U.S.

It will be in the 1–10 million urban region class, which, in fact, it already is, with a population of 1,108,795.

Similarly, Mobile and Baldwin counties and the western Florida Panhandle will be in the fourth largest urban region, stretching along the Gulf Coast to about midway between Houston and Corpus Christi.

This is not to say that the Alabama counties will grow all that much.

Alabama's population is growing at a much smaller rate than that of the U.S. But the urban areas of the U.S. generally are growing faster than the small towns and cities of under 50,000 population.

And where does this leave the small towns?

The population experts aren't sure. Some small towns will grow, others will stand still and others will stagnate.

The question was explored at a recent seminar for newspaper people at Oak Ridge, Tenn., sponsored by the Southern Newspaper Publishers Association.

Some 30 newsmen and women interested in the future of small towns attended. Most of them were from the Southeast.

A NUMBER OF MYTHS REMAIN

The experts are trying to find reasons for the "agglomeration" or concentration of large populations. They also are trying to discover what is happening to the small towns. Some confess that despite extensive study the answers remain unknown.

Although there have been extensive studies, a number of myths remain about our population movement, and the experts find disagreement even here.

Selim A. Kublawi, an economist for the Appalachian regional Commission in Washington, says that one myth is that people have been moving to the large cities because they wanted to.

"Most surveys show that the majority of Americans prefer to live in medium-sized cities and small towns," he says. "They live in large cities and around them because of the economic necessities (jobs)."

On the other hand, Kenneth D. Rainey, a Columbus, Ohio, planner, says that people do not really want to return to the small towns, as the surveys show.

"Most of these expressions of desire to get back to the rural areas of the smaller communities must be classed with the expression of intent to cut down on the number of cocktails one drinks," Rainey says.

Still another myth is generated by attempts to treat the small town problem as one that is uniform across the U.S., says Rainey, who is an associate at the Academy for Contemporary Problems at Columbus.

The academy was established jointly by the Batelle Memorial Institute and Ohio State University to study urgent social and environmental problems.

"Averages can be deceiving," he says.

"They can be like the man who has one foot in boiling water and one on a cake of ice. On the average, he is comfortable."

"REASONABLY BRIGHT" FUTURE

Problems vary from place to place, says Rainey.

"In many areas the future for towns of 10–25,000 seems reasonably bright. On the other hand, there are areas where we can only see a continuing emptying out and a continuing difficulty in providing acceptable levels of public service," Rainey says.

Seminar leaders pointed out that there are probably more than 1,000 federal government programs to help small towns.

But the government can't do the job, even if it were desirable to cure all the small town ills.

"There is not enough federal money to prop up these towns even if we didn't spend a nickel on defense," Rainey said.

The out-migration from rural areas is mostly by the young, leaving fewer and longer-educated children, better educated working women and more older people.

Michael I. Foster of the Tennessee Valley Authority, another seminar participant, says the small town under these circumstances still can improve itself.

It needs a "starter" group, most usually a group of downtown businessmen whose interests are threatened or whose ambitions are frustrated by lack of downtown progress, Foster says.

The starter group is stimulated to act by leakage of trade to adjacent larger cities, the growth or threat of suburban shopping centers and the desire to attract more industrial jobs, Foster says.

Foster is director of the TVA Division of Navigation Development and Regional Studies at Knoxville.

UNITED STATES PROVIDES SOME ASSISTANCE

Some assistance is available from the federal government.

The Rural Development Act of 1972 provides for loans to small towns up to 10,000 population for more than 20 community facilities.

These include ambulance services, industrial parks, public buildings, streets, roads, sewers, even cable TV and nursing homes.

But although more than $5 billion was appropriated this year by Congress, the money is not enough.

Along this line, experts also disagree on the government's responsibility to small towns.

Kublawi says, "The small town cannot succeed by itself. Public policy, at the federal

and state level, is essential to enhance the viability of the small town's economy."

On the other hand, Rainey says, "It is not likely that the future of small town America will be decided by any monolithic government policy.

"As has been the case in the past, the growth of small towns will be the result of millions of decisions made in an inconsistent and highly pluralistic environment," Rainey said.

As to where do we go in regard to small towns, he says:

". . . We have behind us 15 to 20 years in experimentation in regional economic development.

"We have tried the local development efforts, the chamber of commerce activity, a broad range of local financing schemes to lure industry into depressed areas and smaller towns.

"We have tried a wide range of state and federal subsidies and grants-in-aid.

"We have tried multistate regions. We have tried multi-county development corporations.

"In short, we have tried most of the ideas surfaced since World War II."

What should we do?

Rainey says he doesn't know.

COMMISSION ON THE PRESIDENCY?

Mr. MONDALE. Mr. President, in a recent Senate speech I discussed a number of aspects of the institution of the Presidency, which have contributed to a decline in the responsiveness of that institution to the Congress and the American people. Certainly, events of recent weeks should focus our attention even more closely on those steps which must be taken—by both the President and the Congress—to restore a balance of power between the branches of Government and make both the executive and legislative branches more responsive to the American public.

In this connection, a recent editorial from the St. Louis Post-Dispatch, commenting on the proposals which I have advanced, effectively discusses a number of these important issues. I ask unanimous consent, Mr. President, that this editorial be printed in the RECORD.

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

[From the St. Louis Post-Dispatch, Oct. 16, 1973]

COMMISSION ON THE PRESIDENCY?

The feeling is rather generally held across a broad spectrum of national leadership that no matter what President Nixon does or does not do to regain the confidence of the people his Administration is doomed to ineffectiveness. This impression emerges strongly from a series of interviews conducted by Thomas Ottenad of the *Post-Dispatch* Washington Bureau. One top Democratic leader was blunt: "This Administration is a dead duck," he said.

If the Nixon Administration is fated to act in a caretaker capacity for the next three years, does this not offer the country an opportunity to take a good look at the institution of the presidency, with a view to reforms? We think it does, for as *The New York Times* observed some time ago, even before Watergate brought the Nixon Administration into disrepute "there had been widespread concern that the office of the presidency had somehow become bloated, unresponsive, unduly secretive, out of touch with the people and perhaps even with reality."

Since the end of World War II the Chief Executive has acquired power that he never had before. A president now controls nuclear weapons and heads of military establishment 20 times the size it was at the beginning of that war. There are big new bureaucracies in Washington; and technological advances enable a president to roam the world by jet and be seen in millions of living rooms through television. But nothing has been done to tailor the office to the new conditions.

It is this background that lends interest to a proposal by Senator Walter F. Mondale, a Minnesota Democrat. He believes that over the last three or four decades "the presidency has become larger than life and larger than the law." And he further believes Watergate has imbued the nation with a new resolve to meet national problems, the greatest being the protection of liberty "against a government that would diminish it."

So Mr. Mondale has recommended several specific steps that need to be taken promptly, and he has proposed in a Senate resolution that for the longer range there should be established a Commission on the Office of the Presidency, whose purpose would be to examine what has happened to the office, why it has happened, and what can be done to make sure the office remains open and accountable to Congress and the people. The commission would be composed of members of the Executive and Legislative branches and distinguished private citizens.

The work of the group would not be intended to delay reforms that must be undertaken as soon as possible to end the abuses of power revealed by Watergate and require a more open and responsive presidency, one nearer "life size." But a commission such as Mr. Mondale suggests might be a constructive spin-off from Watergate (even though, we suspect, the idea of another governmental commission will produce a few yawns among the populace).

Mr. Mondale is a capable young man who has presidential ambitions himself, and his proposal may be tied to his personal objectives. Yet that need not detract from its merit. Such a commission could well articulate standards that would benefit the presidency and the country in the future; Mr. Mondale's resolution ought to be adopted.

A LACK OF CONFIDENCE

Mr. CHURCH. Mr. President, we all know of the outpouring of protest from the American people at the activities of the President in recent weeks—including the firing of Special Prosecutor Archibald Cox; the initial attempt by the President to defy an order of the Federal courts; and the new revelations that two of the most pertinent of the Presidential tapes are missing.

My own mail has run 20 to 1 against the President, with more than 1,000 letters, telegrams, and phone calls received—the vast majority of them urging impeachment of the President.

Meanwhile, in Idaho, the leading newspapers of the State—most of which supported the President's reelection last year—have become extremely critical of the manner in which the President has handled the Watergate crisis.

Mr. President, I ask unanimous consent that a sampling of editorial opinion from Idaho, including editorials from the Idaho Statesman in Boise; the Idaho State Journal in Pocatello; the Lewiston Morning Tribune; the Daily Idahonian in Moscow; and the Times-News in Twin Falls, be printed in the RECORD.

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

[From the Idaho State Journal, Oct. 22, 1973]

AN ACT OF POWER

No matter how President Nixon attempts to explain it, fairly or unfairly his firing of special Watergate investigator Archibald Cox comes across to the public as meaning only one thing: Cox was getting too close to the truth, and thus was sacked.

That firing and subsequent resignations of Attorney General Elliot Richardson and Deputy Attorney General William Ruckelshaus are another shattering blow to what public confidence remains in the Nixon administration.

Firing Cox was an act of naked power, and one which seems unnecessary. Nixon did it because Cox said he would challenge the President's compromise offer to produce transcriptions of the Watergate tapes as failing to meet the order of the U.S. Court of Appeals. That court had ruled Nixon should make tapes of private conversations available to Judge John Sirica, who might then decide what information from them should be given to Cox. The court might well have accepted Nixon's offer in order to avoid further confrontation, and Cox would have been forced to abide by the court's decision.

Ironically, Nixon's offer met with generally favorable reaction in Congress and with constitutional authorities. But his vengeful firing of Cox immediately stirred serious new talk of impeachment, and chills once more the recently-thawing relations between Congress and the White House. By the same token, the added slippage in public support means the President's ability to govern at home and deal in foreign affairs will be further undermined.

It seems doubtful that Congress will impeach the President. There still is great reluctance to subject the nation to that wrenching ordeal.

But is there then any alternative means of satisfying the public as to whether the President was involved—as his former counsel John Dean claims—or innocent—as Mr. Nixon insists—in coverup of the Watergate break-in of Democratic national headquarters? The prospect seems dim.

Even if Sen. John Stennis is permitted to hear portions of the private tapes, and even if transcriptions of the recordings are made available to the court, it will not be the same as simply producing the tapes. Too many questions will remain unanswered.

And Nixon's promise that the Watergate investigation will continue "with full vigor" under the Justice Department has a very hollow ring, in view of Mr. Cox's fate. Rumors of planned mass resignations within the Justice Department followed news of the firing. Indeed, continuation of the Watergate investigation would be a hypocritical sham which no self-respecting Justice Department prosecutor should undertake.

When Archibald Cox was hired as special prosecutor, Atty. Gen. Richardson said Cox "will be aware that his ultimate accountability is to the American people." Richard Nixon obviously felt differently. And he, apparently, is accountable to no one.

[From the Lewiston Morning Tribune, Oct. 22, 1973]

YOU WON'T HAVE COX TO KICK AROUND ANY MORE

The appointment of a special Watergate prosecutor was always a sticky wicket. Technically it amounted to a demonstrably untrustworthy administration investigating the extent of its own transgressions. But there was hope that a respectable investigation and prosecution could be accomplished if:

1. The special prosecutor was a man of impeccable integrity.

2. The special prosecutor would be given absolute independence of the administration he was investigating.

3. The administration would disqualify

itself from its technical right to arbitrarily overrule the special prosecutor in the event that his results were deservedly unpleasant for the administration.

The appointment of Archibald Cox as special prosecutor was a success only on the first of the three requirements. It turned out that Cox was a man of such unquestionable integrity, such moral courage and such sharply focused legal indignation that he stands today several miles higher in public esteem than the pathetic president who has fired him.

But the second and third requirements for a thorough and honest investigation have now proven vain hopes in the climate of a White House which so obviously never wanted and indeed feared the truth, the whole truth and nothing but the truth.

The demand by Cox for the whole truth and for all the relevant information contained in secret White House tapes threatened the President with unpleasant consequences. So he snuffed out Cox and the special Watergate prosecuting unit Cox headed.

It is now plain that Cox never really had full independence because it was impossible to be truly independent if he could be independent only so long as he did not begin getting at the truth or stepping on the President's toes.

All the reasons given for firing Cox are rhetorical window dressing. Cox was the man appointed to investigate the President and the President's associates. Cox was fired not because he wasn't doing his job well but for exactly the opposite reason. Cox was fired because he was, in the Nixon view, doing his job too well for White House comfort.—B.H.

[From the Idaho Statesman, Oct. 24, 1973]

A MAN OF PRINCIPLE

Former Atty. Gen. Elliot Richardson did not pass judgment on President Nixon at his press conference Tuesday, but reaffirmed his support of former Special Prosecutor Cox and his investigation.

From the beginning, he indicated, his position has been that an independent special prosecutor was necessary in the Watergate case, to restore faith in the integrity of the government.

Given his convictions and the President's decision to fire Cox, Richardson had no choice but to resign. His resignation added to his already considerable stature. It was inspiring, because it offers evidence that there are men in government who will not compromise on basic principles.

The Nixon administration has suffered from a shortage of such men. When former Interior Secretary Walter Hickel let his disagreements with the President become known, he was sacked. Some others were forced out early this year at the beginning of the second Nixon term.

Richardson did not chastise the President nor indulge in any sour grapes recriminations. He simply stated the sequence that led to his decision, and the convictions that prevented him from remaining in the office.

The applause given Richardson by Justice Department employes was a fine tribute to him, and apparently to the position that his resignation represents.

A VICTORY FOR THE PEOPLE

President Nixon's capitulation to the order of a federal court for nine Watergate-related tapes should stop the drive to impeach him that had followed last weekend's Justice Department shakeup.

The President's move was a major conciliatory step, in the face of public and congressional outrage. It was a victory for the people.

Some issues are unresolved—including the status of the former Cox investigation, the violation of an administration agreement with the Senate in firing Cox, other tapes and documents, and the possible content of the Watergate Tapes themselves.

An investigation by an independent special prosecutor should continue. Cox should be reinstated. Former Atty. Gen. Elliot Richardson suggested Tuesday the appointment of a new special prosecutor. It would be simpler to reappoint the old one. Richardson should also be invited to return.

One of the greatest concerns of people angered by the President's actions of Saturday was that of an executive claiming excessive powers. The impeachment mechanism offers a remedy in the case of abuse of power by a president.

The resignations that accompanied the Cox removal helped build the fires of indignation. There were critical statements from Republicans as well as Democrats. The telegrams poured in to Washington.

On Tuesday before the President announced his decision Judge John Sirica notified the Watergate grand jury that it would continue to operate. And Richardson conducted his press conference at which he upheld Cox, the Cox investigation and spoke out for the necessity of an independent investigation to restore faith in the integrity of the government.

All of these things might have contributed to the President's decision. The events of recent days suggest that there is power in the attitude of the public, and in the Congress.

The expressions of outrage and the call for an impeachment proceeding in the House served notice on the White House that the President could not bulldoze his way through this situation.

So it appears that the tapes decision represents a victory for the people and the Congress, as well as for the courts. There were so many people speaking out for the rule of law, for limitations on presidential power, for an independent investigation, that a president was forced to back down.

Now that he has taken a major conciliatory step the President should move further. He should reinstate the former special prosecutor and invite the former attorney general to return. With those steps he could undo much of the remaining damage left in the wake of the Saturday explosion.

[From the Twin Falls (Idaho) Times and News, Oct. 23, 1973]

IMPEACHMENT

Impeachment used to be a whispered word—now it is mentioned in Congress as often as "yes" and "no."

The turmoil stirred up by the President in his most recent action is a disaster in public relations. He is going down a road on which there is no return. He is finding few who agree with him in this instance and many members of Congress—and thousands of private citizens—believe he is digging his own political grave.

There is something wrong with his actions and it will all come out into the open at some point in time. Now we're not sure why such action was taken. Without a doubt, his action was ill-advised and it now places greater responsibility on Congress and the Courts to uphold the principal that no man is above the law.

As we see it—no man is above the law, even if he is the President of the United States.

Impeachment action must, under law, be brought in the House but it is in the Senate where the final action will be taken—the final decision will be made. The ultimate test in Congress will be what the conservative Republicans decide to do.

[From the Moscow (Idaho) Daily Idahonian, Oct. 22, 1973]

THE FIRINGS BY THE PRESIDENT

The TV Movie of the Week last night was a charming story of an Eskimo boy who had to take a long and perilous canoe trip to get help for an injured mountain climber. It was full of the old virtues, humility before man and nature, self reliance, a respect for the legends and traditions of the past, and a belief in man's ability to meet challenges boldly and successfully.

The papers this weekend were full of a not-so-charming story containing almost none of the old virtues. It's a story of a President—still fighting the release of tape recordings that large numbers of ordinary citizens think should be made public—firing two dedicated public servants and accepting the resignation of a third while working frantically to avoid complying with what had appeared to be a reasonable court order.

Again the President has focused on the legal aspects of the situation while disregarding the common-sense aspects that appear so obvious to the public at large.

Legally, the President is probably within his rights in firing special Watergate prosecutor Archibald Cox, a distinguished lawyer and teacher. And legally the President may be correct in contending that releasing the tapes of his conversations with several leading Watergate conspirators would violate his right to keep information confidential. And legally it may be true that bowing to court orders would make the exceutive branch of government subservient to the judicial branch, contrary to the intent of the Constitution.

But the nation's best legal minds are divided on the legalities of many of the issues, and in each case the legal line runs strongly counter to the common sense line that underlies much current public opinion.

Certainly, Cox is an employee of the executive branch. He is also, however, a special prosecutor specifically appointed to make a thorough and independent investigation into the Watergate mess. To fire him for being fierce in the pursuit of his duties makes a mockery of the appointment.

Perhaps the President should have the right to keep certain information confidential. The tape recorded conversations of most of the people who have come into Nixon's offices since the recording equipment was installed should probably be kept confidential.

In fact, they shouldn't have been recorded in the first place. But the tapes of those talks with the Watergate conspirators would go a long way toward answering the questions that have been raised. It's absurd that they weren't released immediately when their existence became known.

And certainly the executive, judicial and legislative branches of government should be equal, as set forth by the Constitution. But complying with the court order much less likely to upset that balance than refusing to comply, an action that appears to place the executive above the other branches of government.

Perhaps if the President had run a business on Main Street here in Moscow before moving to the White House he might be more inclined toward the common sense approach to these problems that says, let's get everything out on the table and get the whole thing settled. A lot of people who run businesses here and across the country, and a lot of their customers, wish that had been the President's approach from the beginning. As it is, who now can believe that he wants the public to know the truth about Watergate.

[From the Moscow (Idaho) Daily Idahonian, Oct. 22, 1973]

NIXON'S LACK OF TRUST

A couple of other points might be made about these issues. The President continues to demonstrate his distrust in the public and its institutions. If his proposal on the tapes is fair and workable, Judge John Sirica will accept it. The President could then have ignored Cox's complaints, which would have become academic, and let Cox get on with his investigation, which gave promise of doing what it was designed to do.

Cox may have reacted overly strongly to the Nixon compromise. The deal suggested by the President is for him to summarize the disputed tapes and give that summary to the Senate Watergate Committee, meanwhile letting a man chosen by the President, Democratic Sen. John Stennis of Mississippi, hear the tapes and confirm the accuracy of the summary. Cox reacted by saying he wouldn't be a party to such a deal and by threatening to try to have Nixon cited for contempt of court for failing to comply with the court order to give Sirica the tapes. But Nixon's reaction was overly strong, too.

If Judge Sirica rejects the compromise, as he probably should in the interest of truth, then the President's action in driving three good men out of office becomes even more unfortunate.

And finally, if President Nixon had released the tapes promptly, the whole question of a Constitutional confrontation over them would never have arisen.

THE BOMBING OF THE UNIVERSITY OF WISCONSIN

Mr. HOLLINGS. Mr. President, yesterday a powerful editorial appeared in the Charleston, S.C., News and Courier. It concerned the homicidal bombing of a University of Wisconsin research building in 1970, and subsequent events. You will remember, I am sure, that a physicist working in the building was killed in the explosion. Several weeks ago, the perpetrator of this heinous crime was sentenced to 25 years in prison.

His attorneys, however, managed to obtain a mitigation-of-sentence hearing for the guilty party. In arguing for mitigation, Attorney William Kunstler managed the presentation, which included arguments that the war in Vietnam was immoral, therefore, any action designed to impede the conduct of the war was legitimate and moral.

The editorial in the News and Courier exposes this kind of reasoning very forcefully. A civilized society cannot survive according to the law of the jungle that Attorney Kunstler and the others advocate.

The accused individual was charged with murder, and he was convicted of murder. There is no other word to describe his crime. The judge who heard the mitigation hearing fortunately had the good sense to deny the spurious arguments of Kunstler et al.

Mr. President, I ask unanimous consent that the editorial, "A Small Act," which appeared in the November 11, 1973, Charleston, S.C., News and Courier, be printed in its entirety in the RECORD. The column deserves to be widely distributed and read.

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

A SMALL ACT

In the early hours of Aug. 24, 1970, Karleton Lewis Armstrong, a student opposed to United States participation in the Vietnam war, expressed his views by exploding a bomb in the University of Wisconsin Army Mathematics Research Center. It happened that working there at the time, alone, was a physicist, Robert Fassnacht. The explosion killed him.

Armstrong first was charged with murder. Several weeks ago he pleaded guilty to reduced charges of second degree murder and four counts of arson stemming from attacks on several military installations. He was sentenced to 25 years in prison. With the aid of Attorney William M. Kunstler, defender of many anti-war activists, Armstrong obtained a mitigation-of-sentence hearing, hoping to have his prison term reduced.

The hearing was held in Madison, Wis., before Circuit Court Judge William C. Sachjen. Parading before the judge came a strange collection of historians, scientists and political activists in Armstrong's behalf. The war in Vietnam, they argued, was "illegal," and therefore all acts of resistance against it were justified—including the killing of Robert Fassnacht.

"You knew, and I knew," Attorney Kunstler told the judge, "we were cowards We did not do what Karl Armstrong did because we were middle-aged, perhaps, or because our positions were secure and we didn't want to jeopardize them." Melvin Greenberg, another defense attorney, said that the bombing of the research center was "a small, minute act of violence done to stop that huge, great violence" of the Vietnam war. He criticized what he called the "double standard" which permitted those who directed the Vietnam war to go free, while others like Armstrong were subject to criminal proceedings.

Robert Fassnacht was dead. Judge Sachjen rightly ignored the fiery defense oratory about the Vietnam war. His decision did not mention it. He imposed concurrent sentences on the murder and arson charges, cutting only two years from the original 25-year sentence, presumably allowing for the almost two years Armstrong already has been imprisoned after being captured, on the run, in Toronto by the Royal Canadian Mounted Police.

It seems strange that, at this late date, Attorney Kunstler and the activists whom he and others defend still do not know for whom the bell tolls. It tolls not only for those who gave their lives seeking to defend freedom, but also for the Robert Fassnachts who no longer are among the living.

NEW PROSECUTOR MUST BE FREE OF NIXON HAND

Mr. MONDALE. Mr. President, although Mr. Leon Jaworski has assumed his duties as the special prosecutor appointed by the President, I remain of the view that Congress must act to establish a truly independent prosecutor. The prosecutor must not be appointed by the President, must not be removable at the will of the President, must be truly independent, and must possess all necessary power to go to court to seek relevant evidence.

This country has been repeatedly shaken by the Watergate affair and its aftermath. Public confidence in Government and Government officials is at an all-time low. The first step back on the path to restoration of confidence is to bring those guilty of criminal offenses to justice through a thorough investigation. It is by establishing a truly independent prosecutor that we insure that this will be done.

In a recent editorial, the Pioneer Press of St. Paul, Minn., expressed the view that "the special prosecutor's office should be taken completely out of his—the President's—sphere of influence." The editorial continues:

President Nixon's record of obstructionism against the Cox investigation speaks for itself. The American people are entitled to a full and absolutely independent conclusion of the work begun under Cox. It is the responsibility of Congress to see that this is provided.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial entitled "New Prosecutor Must Be Free of Nixon Hand" published in the Pioneer Press of November 5, 1973.

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

NEW PROSECUTOR MUST BE FREE OF NIXON HAND

President Nixon is now trying to derail congressional efforts to assure a fully independent special prosecutor to carry on the Watergate prosecutions and investigations begun by Archibald Cox.

Because of Mr. Nixon's shocking discharge of Cox after he began digging into matters embarrassing to the White House, strong sentiment developed in Congress to establish a special prosecutor's office responsible to the courts and not to the President. This is an eminently fair and reasonable approach. Since the presidency itself is the subject of investigation, and in view of Mr. Nixon's past obstructive actions, the probe should not again be put in charge of anyone subject to dismissal by the President.

Yet this is what Mr. Nixon wants. He authorized his acting Attorney General, Robert Bork, to announce the appointment of Leon Jaworski, a conservative Texas Democrat, to replace Cox as the new special prosecutor. To soften congressional opposition, Bork said Mr. Nixon has promised he will not interfere with Jaworski and will not fire him without the consent of a selected group of congressional leaders from both parties.

Mr. Nixon's record in the Watergate investigations makes such assurances unacceptable. He has denounced the Cox staff as being loaded with hostile lawyers. And at his last press conference he promised cooperation with a new special prosecutor, "but not by having a suit filed by a special prosecutor within the Executive branch against the President of the United States."

Regardless of President Nixon's new assurances, the special prosecutor's office should be taken completely out of his sphere of influence.

Fifty-three members of the Senate are sponsoring legislation which would do this. Their bill would have the special prosecutor appointed by and responsible to federal Judge John Sirica. This legislation, or some reasonable modification, should be enacted, regardless of Mr. Nixon's self-serving opposition.

Nixon might veto such a bill. But Sen. Walter Mondale of Minnesota has an answer to such a threat. He says Mr. Nixon's nominee for a new Attorney General, Sen. William Saxbe, R-Ohio, should not be confirmed by the Senate until the President signs the independent prosecutor measure.

The Senate did not confirm Elliot Richardson as Attorney General until the Nixon Administration had promised not to interfere with Cox's work as special prosecutor. Those promises became "inoperative" (to use a White House term) when Mr. Nixon fired

Cox and thus forced the resignation of Richardson, who refused to concur in the President's action.

President Nixon's record of obstructionism against the Cox investigations speaks for itself. The American people are entitled to a full and absolutely independent conclusion of the work begun under Cox. It is the responsibility of Congress to see that this is provided.

GENOCIDE: MISUNDERSTOOD

Mr. PROXMIRE. Mr. President, some people who oppose American ratification of the Genocide Convention do so because they believe that the convention's definition of the word "genocide" dangerously distorts the true meaning of the term. They maintain that article II of the treaty would require each signatory to prosecute any person demonstrating the intent to destroy or harm a single member of a specified ethnic, racial, or religious group. They consider this mandate too broad.

This concern is unwarranted. First, article II of the treaty explicitly states that only the intent to destroy the "whole" or part of such groups would require government action. In 1950 Deputy Under Secretary of State Dean Rusk drew the distinction between crimes of genocide and homicide by noting that the former designated the intent for large-scale violence against members of a specific group while actions against one or two members of a racial or ethnic group would fall in the latter category.

Further, ratification of the Genocide Convention would not increase the number of prosecutions for violence against individuals because the U.S. legal system already considers such violent actions to be criminal offenses. Violence and persecution in any form has long been abhorrent to those upholding the principles of freedom and democracy for all men. Ratification of this document would merely reaffirm our commitment to those principles. After more than 20 years of debate such a reaffirmation is more important than ever.

Mr. President, I ask the Senate to ratify the Genocide Convention as quickly as possible, and make clear America's position against mass violence.

ENERGY CRISIS AND THE CREDIBILITY CRISIS

Mr. MOSS. Mr. President, the lack of credibility of the President of the United States brought about by the ever-widening scourge to which we refer with the generic term, "Watergate," is bringing us within spitting distance of disaster in our energy battle.

The patterns of communication with the public on Watergate and on the energy crisis are strikingly similar. Do you recall, less than a year ago, the initial indignant denials of his knowledge of events surrounding the break in and then each of his later explanations gradually admitting more knowledge, thereby conceding each previous explanation to have been at least partly false.

Now we have had three "energy messages" from the President in less than a year—and each one exposes a little bit more, and levels with the public a little bit more. But it is almost too late.

A skeptical public will not voluntarily follow the dictates of a President who has strained its faith in his office beyond repair.

Even now, some of our citizens, when offered the President's voluntary energy program the other evening are saying "Let him stay home and go to work and save the jet fuel" and "Let's see an example of Nixon's personal conservation."

Hobart Rowen said it very well—"Nixon sidesteps bold measures on energy"—and I ask unanimous consent that the article from the Washington Post of November 11, 1973 be printed in the RECORD for the use of the Senate.

The President's April message on energy was considered a disappointment even by industry.

The President, I submit, is playing politics with energy and is judging the crisis against how the people will react. He is afraid to endanger his 32 percent rating by telling them the truth about energy and moving drastically to correct the problem.

I say it is time he stopped insulting the intelligence of American citizens and leveled with them.

The Senate, in a bipartisan effort led by Senator JACKSON, under the Fuel and Energy Study has been working long and hard for almost 3 years on the energy shortage. Legislation is forthcoming.

As Rowen says, the Nation cannot wait.

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

NIXON SIDESTEPS BOLD MEASURES ON ENERGY

(By Hobart Rowen)

President Nixon's latest stab at an energy program is a step beyond his previous inadequate efforts, but it still falls far short of the mark.

It is nearly unbelievable, at this stage of the crisis, that the President could not find the authority to make a nationwide speed limit of 50 miles per hour mandatory.

Would that the President had been so circumspect in seeking out legal authority when he set up the plumbers' group in the White House!

As Gov. John Love admitted to reporters, a speed limit—which would save more energy than any other single step—"needs a national push." It can't be left to the states or to voluntary compliance by citizens.

Well-informed sources indicate that it was only in response to insistent demands by many state governors that the President, at the last minute, agreed to ask for congressional approval for the use of daylight saving time throughout the year.

It is clear to everyone who has studied the energy problem that in the short run, the most hopeful prospect of reducing wasteful consumption of energy is in the curtailment of the private use of automobiles.

This requires much more than appeals to the public to use car pools and mass transit. It requires tough measures to force the auto industry and the buying public toward producing and using smaller and lighter cars.

Yet, the administration steadfastly refuses to consider a tax on high-horsepower cars and, according to Gov. John Love at the White House press briefing Wednesday night, a substantial additional tax on gasoline itself.

It perpetuates the notion that somehow gasoline rationing may yet be avoided. The reaction by Sen. Henry Jackson (D-Wash.) is more realistic: gasoline rationing is inevitable—and so are some industrial shutdowns that will have painful economic implications.

The Nixon administration's rationale for staying away from higher gasoline taxes is that they are regressive—they would hit lower-income people harder than the wealthy. But there are ways to solve that problem. And there certainly can be no worry about the regressivity of a penalty tax on the huge gas guzzlers.

The point is that bold ways have to be pursued to cut down on the 50 per cent of U.S. oil refinery production that is now devoted to the production of gasoline, mostly for autos. This would permit higher refinery runs for heating oils, and for the special fuels used by railroads and airlines.

The halfway measures outlined in the President's speech suggest that some policy makers must be clinging to the hope that Kissinger's magic touch in Mideast diplomacy will soon have Arab oil flowing again.

But if there is more than rhetoric in the President's call for a "Manhattan Project" sense of urgency, if he really intends for the nation to be independent of Mideast oil needs, there is a distressing lack of commitment so far to development of alternative sources of energy.

Prof. Ernest Frankel of M.I.T. points cut that production of petroleum from either coal or oil shale in a "socially acceptable way" would come to about $6 a barrel in the early 1980's, compared to median predictions of around $7 a barrel for petroleum by that time. (Some estimates for Mideast and South American oil run much higher.)

As the technology improves, oil from shale or coal would probably become cheaper. Thus, says Frankel, "There is not only an alternative but an economically and politically attractive solution," since U.S. coal and shale deposits are larger than the world's total oil reserves.

Beyond that, there is nuclear and solar energy. Is Mr. Nixon giving enough attention to their potential? A concerted effort should seriously be made to look into microbiological sources of energy. Many scientists suggest that this is an unplowed field: for example, methane can be produced from animal waste and urban sewage. Hydrogen and ethyl alcohol can also be produced from microbiological sources.

The kind of commitment that would demand every possible conservation measure in the short run, and every possible exploration of alternative sources for the long haul, is still lacking.

The Nation shouldn't wait until next summer to ration gas; it ought to cut back sharply on gasoline supplies now, and get more out of the refineries for home heating and essential industry.

The nation must also be assured that in its drive to boost energy supplies, it will prevent the oil companies from making windfall profits. Some price increases will be inevitable, but this is not the time to throw controls out the window, making the consumer the scapegoat for short-sighted planning by industry and government over the past several years.

It is also not a time for the Western world to allow itself to become divided by the Arab strategy of embargo. Appeasement, as Leonard Silk pointed out in the New York Times the other day, won't work any better in the Mideast than it did in Munich.

One can understand the concerns in Western Europe and Japan, which get the bulk of their oil supplies from the Arab countries. But this country, Europe and Japan badly need to come together, share existing resources and develop new ones. If they don't, the Arab countries will pick off one consuming country after the other, and $12 oil will look cheap.

JOHN P. FRANK, OF PHOENIX, ARIZ.

Mr. BAYH. Mr. President, Mr. John P. Frank, of Phoenix, Ariz., one of the country's most distinguished attorneys, has for many years provided expert guidance to the Senate on a number of legal issues and particularly in the area of judicial ethics. Mr. Frank has forwarded to me a statement of his views on the constitutional issues surrounding the currently pending legislation providing for the appointment by the courts of an independent prosecutor. I ask unanimous consent that Mr. Frank's statement be printed in the RECORD.

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

STATEMENT OF JOHN P. FRANK

My name is John P. Frank. By way of qualification, in 1942, I was law clerk to Mr. Justice Hugo L. Black. From 1946 to 1954, I taught constitutional law and matters relating to federal courts at Indiana and Yale Universities. From 1954 I practiced in Phoenix, Ariz., with frequent involvement in constitutional matters. In addition to numerous articles, I am the editor of two case books on constitutional law, the author of a frequently used work on the Supreme Court, and the author of two biographies of Supreme Court justices. From 1960 to 1970 I served on the Advisory Committee of the Supreme Court to Civil Procedure, and am a member of the Executive Committee of the Advisory Council on Appellate Justice.

Also of some relevance here, I am the author of numerous articles on disqualification of judges. I have three times appeared before this Committee or one of its subcommittees at the committee's invitation as an expert on disqualification, and I had a material hand in the disqualification act just passed by the Senate.

From this background, I express opinion on two points involved in this bill:

1. There is no constitutional impropriety in asking a court to appoint counsel in a case or group of cases. Courts do it all the time. I have just completed a year and a half of service on a major matter representing all prisoners in the Arizona State Prison by appointment of the Federal District Court. I have been representing the plaintiffs against the state before the judge who appointed me, and the proceedings have dealt with a hundred or more criminal sentences.

All such court appointed attorneys are subject to removal for gross improprieties. The court may not superintend the prosecution and then try the case; but there is no constitutional objection to appointment or discipline of attorneys who are in any case always officers of the court.

I must confess that I cannot see even a serious issue on this question.

2. The Senate has just unanimously passed, at the unanimous recommendation of this Committee, a new statute on the disqualification of judges. While the act does not bear directly here, its spirit is very much in point.

The debates on the Senate floor as well as in this Committee have constantly reiterated the proposition that courts must avoid not merely impropriety, but the appearance of impropriety.

This generalized aphorism is a way of restating among many other things, an ancient maxim of Blackstone that no man shall be a judge in his own case. That principle was reiterated by the Supreme Court in Chief Justice Taft's time in the famous case of *Tumey* v. *Ohio*, holding that a judge who might be affected by the penalty could not try a criminal case. It was reiterated in the recent *Commonwealth Coatings* decision of the Supreme Court now firmly embraced in the recent legislation here.

These principles apply directly to the selection of a prosecutor in the immediate matters. This is a prosecution which reaches Cabinet officers and top staff of the President. We are grimly aware that the tide may reach even higher, and come to the President himself. I do not prejudge the matter in raising this spectre. The point is that we deal with a perfectly serious possibility.

In these circumstances, the President cannot make the appointment of a prosecutor and cannot remove a prosecutor, without being a judge in his own case.

Certainly he cannot do so without *appearing* to be a judge in his own case. I do not mean here easily to knuckle under to appearances; judges must be of sufficiently sturdy stuff not to yield to merely mischievous accusations and appearances. I have expressed concern over the possibility of paying overly deferential heed to the appearance of impropriety in writings on file with this Committee.

But here we are not dealing with a marginal or trumped up appearance. The removal of Mr. Cox at a moment when, from all outward appearances, the flames grow hot about the appointing power, has truly alarmed the whole country. We would be hard put to find an instance of a greater appearance of impropriety.

Let me express my high regard for Mr. Jaworski, a leader of my profession. He might well be chosen as a special prosecutor by an independent appointing source. To accept the office under these present auspices however, is to doom the enterprise from its beginning. It would be hard to conceive of a more flagrant defiance of the principle of maintaining the appearance of propriety than thus permitting the President to judge his own case.

WILLIAM A. SPARROW—STAR FARMER OF AMERICA

Mr. NUNN. Mr. President, in October of this year, an outstanding young Georgian, William A. Sparrow of Unadilla, was named Star Farmer of America for 1973 by the Future Farmers of America, the first Georgian to be so honored since 1956.

Bill's dedication, hard work, and endless achievements in the field of agriculture provide an inspiration to us all. This award is a fitting tribute to the outstanding contributions he has made to his community, his State, and his Nation.

It is my pleasure to share with my colleagues an excellent editorial which was aired recently by WSB radio in Atlanta on "A Great Young American"—Bill Sparrow. Mr. President, I ask unanimous consent to have it printed in the RECORD.

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

WSB VIEWPOINT

"A GREAT YOUNG AMERICAN"

William A. Sparrow is a young Georgia farmer. He owns 289 acres on Rt. 1, Unadilla, and he recently exercised an option to purchase 700 more.

This 22-year-old son of the soil raises peanuts, soybeans, oats, cotton and cattle.

A few years ago as a freshman vocational agricultural student at Unadilla High School, he developed an interest in crop production. As a teen-ager, he started to maintain a small farm on which he raised two acres of peanuts, two of cotton, two of watermelons, and one of cantaloupes. And he found time to also operate a small cattle and swine enterprise, and to study enough to make good grades in all his classes.

But that was only a starter. He also was president of the Unadilla chapter of the Future Farmers of America, president of his church's Sunday School, vice-president of the Junior Class, captain of the football team, Scoutmaster of the local Boy Scout Troop. And recently he completed six years of service with the Georgia Army National Guard.

Bill Sparrow explains his phenomenal record this way: "The reason I was able to do so much was that I worked each afternoon after school, on Saturday and all summer. My father never paid me in cash, but allowed me to have an acre of this-and-that in exchange for my labor."

Perhaps it was inevitable. But at the 1973 Future Farmers of America convention in Kansas City, William A. Sparrow was named the Star Farmer of America, a tremendous recognition that carries with it a $1,000 cash award.

At a time when millions of American youngsters complain that they are bored with life and disillusioned by lack of opportunity, the saga of Bill Sparrow needs to be told over and over again.

The Star Farmer of America has never had time or inclination to become a juvenile delinquent. He's much too busy to be despondent and far too successful to be discouraged.

Here is a young citizen farmer who is making things happen. He's growing food for hungry mouths. He's being useful, creative and productive. And he's prospering for all of his efforts.

He's an inspiration to all who know about him and his achievements.

He's a splendid Georgian and a great young American.

We need many more youngsters like him.

EXPLANATION OF THE NATIONAL FOOD BANK ACT

Mr. McGOVERN. Mr. President, last month I introduced the National Food Bank Act, S. 2577. Inasmuch as it is an important piece of legislation designed to assist areas in need of emergency food assistance, I would like to explain the purpose of the bill, and I ask unanimous consent that the text of S. 2577 be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. McGOVERN. Mr. President, unknown to most Americans, there is a growing problem in the area of domestic emergency food assistance primarily due to the phasing out of the commodity distribution program run by the Department of Agriculture.

We Americans are now running a serious risk of being caught offguard in an emergency. Historically, this country has always produced enough food to feed everyone—and whatever shortages occurred were generally the result of the inability of some elements of the population to purchase food because they could not afford it, rather than because there was no food to buy at any price.

But the world has been eating more food than it has been growing since 1969—5 long lean years. There is no early prospect for relief, and population continues to grow, bringing increasing pressure on food producers everywhere. America's immense food reserves—commonly but mistakenly called sur-

pluses—are all but gone. The planned phaseout of the commodity distribution program is not so much the result of planned intent, but the inevitable result of present shortages in worldwide production; there simply are no commodities to distribute.

It has been my view for some time that creation of a national food reserve and U.S. support for a worldwide grain reserve is a crucial priority for American policy. Recently, along with my Republican colleague from Vermont, GEORGE AIKEN, I introduced a resolution calling for this.

But America must also prepare itself to meet the threat of shortages of food during emergencies right here in our own country. As it stands now, a real emergency—a major flood or hurricane—might find us without a cushion to fall back on.

Historically, during natural disasters, USDA has used the foods stored for the family commodity food program and the school lunch program to give to the American Red Cross and other voluntary organizations for distribution to needy families. And of the two programs, the stocks of the family commodity distribution program have proved the most versatile due to the sizes of the packages and the varieties of commodities purchased for that program. Juices, for example, which are in great demand during any disaster which affects the water supply, are purchased almost exclusively for the family commodity program.

Because of a shortage of food supplies for the commodity program, however, the Congress has mandated a nationwide food stamp program by July 1, 1974, which effectively phases out the family commodity distribution program.

I believe that this is a sound nutritional step. However, it is incumbent upon the Congress to insure that in the process of phasing out the commodity program other programs, which although smaller are no less important, are not prejudiced. The emergency food program is potentially such a program.

It is for these reasons that, along with Senator MAGNUSON of the State of Washington, I have introduced the National Food Bank Act.

The National Food Bank Act would authorize the Secretary of Agriculture to purchase such amount and varieties of food as he deemed nutritionally adequate to be used as emergency stocks during natural disasters. The Secretary would also be authorized to set up regional warehouses to store the food wherever it was believed convenient and accessible.

Red Cross officials have indicated in testimony before the Nutrition Committee that the current phasing down of USDA's commodity distribution program of family assistance is already creating difficulties for food distribution during natural disasters, and that the scheduled complete phaseout of the program in July 1974 may create a significant threat of actual food shortages during a major natural calamity, such as a hurricane on the order of Agnes in June 1972.

The existence of the family distribution program, with its prepared packets of packaged foodstuffs already broken down into family-sized components provided a valuable asset to local disaster relief officials who could simply pass these out to affected families after the initial emergency was over, but before the local food distribution system and local economy returned to normal.

This was especially helpful in reducing paperwork. It was not necessary for disaster victims who would soon be back on their feet on their own to go through the conventional redtape attendant to application for welfare assistance. It is this system which is now breaking down.

In the April floods in Houston, Tex., and local disasters in Illinois and Oklahoma, Red Cross officials found their requests for food through the schools rejected for the first time. Local officials knew that USDA did not have reserves of surplus meat, cheese, and other essential nutrients to replenish community stocks. They therefore did not permit the Red Cross to distribute or utilize their own stocks of these foods, for fear that they could not be replaced.

These local situations did not become tragedies only because the scale of the disasters was small, and it was possible to purchase food directly from commercial sources near the disaster. In a large scale emergency, however, the Red Cross indicates that serious problems could arise, especially if the commercial system itself was disrupted as is generally the case in a major earthquake or hurricane. Once the commodity program is phased out, there will be no stockpiled source of family-style food to distribute. Furthermore, as supplies of commodities purchased for other programs decline, there will be no actual food owned by the Government to distribute at all.

The planned utilization of food stamp distribution, in the view of the Red Cross, represents an inadequate substitute for this purpose. First, these officials note that in some areas local programs are requiring disaster victims to meet all the income and other qualifications of their State programs. The disaster victims are required to fill out forms and must wait in some instances as long as three weeks before they can get their initial books of stamps. This system thus does not assist the Red Cross during the initial days of the diaster at all. The second drawback is that food stamps do not always work in disaster situations if commercial outlets are not available. In last year's heavy snowfall on Indian reservations in several Western States, food packets from the family commodity program were airdropped to stranded families who could not reach stores.

With a very modest investment of approximately $6 million of section 32 funds we in the Congress can insure that the step forward that was achieved by the mandating of a nationwide food stamp program does not result in two steps backward during a natural disaster.

I strongly urge my colleagues in the Congress to endorse the National Food Bank Act prior to the phasing out of the commodity distribution program—next July 1, to allow for a smooth transition. Too often we in the Congress are not given the opportunity to act prior to an emergency, but are forced to act under the gun without the time to investigate all the alternatives. With the National Food Bank Act we have the opportunity to prevent a potential nightmare for millions of Americans instead of trying to cure the ill after the fact.

S. 2577

A bill to provide for the storage of food commodities in geographically dispersed areas of the United States for use during any major disaster in the United States.

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 "National Food Bank Act".

SEC. 2. The Secretary of Agriculture (hereinafter referred to as the "Secretary") is authorized and directed to provide for the storage of food commodities in geographically dispersed areas of the United States so that such commodities will be readily and conveniently available for distribution in any area of the United States which suffers a major disaster (as determined by the President under the Disaster Relief Act of 1970).

SEC. 3. The Secretary shall utilize funds appropriated under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to purchase food commodities necessary to provide adequate supplies for use in any area of the United States in the event of a major disaster in such area. The Secretary shall determine the quantities and kinds of food commodities to be stored in any area, taking into consideration the kinds of food needed to provide a nutritionally balanced diet and the storability of such commodities.

SEC. 4. The Secretary shall, to the maximum extent practicable, utilize storage facilities provided by the Secretary for the storage of food commodities necessary to carry out the program established under this Act for the storage of food commodities used in carrying out other programs administered by the Secretary, including, but not limited to, the school lunch program (carried out under the National School Lunch Act) and the school breakfast program (carried out under the Child Nutrition Act of 1966).

SEC. 5. The Secretary is authorized to take such action as he deems necessary to maintain fresh, nutritious supplies of food commodities and to provide for the periodic turnover of such commodities to avoid spoilage thereof.

SUPPORT FOR HIGHER EDUCATION

Mr. MONDALE. Mr. President, at a recent meeting of the Committee for Corporate Support of American Universities, Mr. David Packard, former Deputy Secretary of Defense, urged corporations to stop making unrestricted gifts to colleges and universities.

The implications this proposal has for the integrity and independence of higher education are extremely disturbing. A recent editorial in the New York Times correctly termed this proposal a "call for corporate retreat from enlightenment."

I share the deep concern this thoughtful editorial expressed about the Packard proposal, and ask unanimous consent that it be printed in the RECORD at the close of my remarks. To begin insisting on some specific return or result for every corporate contribution would impose a serious and unnecessary limitation on the freedom and autonomy of our higher education institutions.

There being no objection, the editorial

was ordered to be printed in the RECORD, as follows:

Times Mon. Oct. 29

NOT FOR SALE

In urging corporations to put a stop to the practice of making unrestricted gifts to colleges and universities, David Packard is attempting to turn the clock of education and social progress back by twenty years. It was in 1953 that Frank W. Abrams, then chairman of the board of Standard Oil of New Jersey, established the legitimacy of unrestricted corporate gifts to higher education. A test case instigated by Mr. Abrams culminated in a landmark decision in the New Jersey Superior Court hold that corporations are not only entitled but actually have an obligation to support higher education—without strings attached—as the engine of economic and social progress.

It is against such an enlightened policy that Mr. Packard, chairman of the Hewlett-Packard Company and former Deputy Secretary of Defense, now pits his view of the relationship between campus and industry. He sees university governing boards no longer as safe and respectable carbon copies of corporate boards of directors but rather as untrustworthy assemblies of a motley crowd of "students, faculty, alumni, various ethnic groups, etc."

Mr. Packard's vision of what has happened to university boards in the aftermath of the rebellious nineteen-sixties is a figment of panicky imagination. The conservative serenity of such bodies has, unfortunately, been little shaken by the admission of an occasional member who has yet to celebrate his fiftieth birthday.

His distorted view has spawned Mr. Packard's belief that a new breed of trustees would spend industrial donations in ways the corporations could not defend to their stockholders. If Mr. Packard prevails, the only legitimate way for such benefactions to be distributed would be by first making certain that they "contribute in some specific way to our individual companies, or to the general welfare of our free enterprise sytsem."

Higher education owes no *quid pro quo* to any donors—private, corporate or governmental. A campus that bartered away its autonomy would very soon cease to supply the nation—and the corporations—with any human product worth the price of the degree.

Ironically, Mr. Packard issued his call for corporate retreat from enlightenment before a meeting of the Committee for Corporate Support of American Universities—an audience of top-level business executives and of academic presidents. These university spokesmen could do much to shore up the American people's faith in the integrity and future independence of higher education by forthrightly disassociating themselves from the pernicious doctrine that their institutions are for sale.

IMPOUNDED FUNDS, AS OF SEPTEMBER 30

Mr. METCALF. Mr. President, the 93d Congress has been properly interested in restoring its position in the budgetary process. Some progress is being made.

Earlier this session, the Congress approved a measure that would require Senate confirmation of the incumbent Director and Deputy Director of the Office of Management and Budget. The President vetoed that bill. The Senate voted to override the veto. The House effort to override failed. Subsequently, the Senate Committee on Government Operations reported S. 37, which would provide for the confirmation of all future Directors and Deputy Directors of OMB. That bill was passed by the Senate on June 25. It is currently pending before the House Committee on Government Operations.

Provisions, in the Alaskan pipeline bill, which would remove OMB's control over the information requests of independent regulatory commissions, have been approved by both the Houses and Senate.

The Senate Committee on Government Operations has approved budget control legislation. The House Rules Committee is nearing completion of similar legislation.

Some of us have sought for years to restrict executive impoundment. Legislation in this area has been approved by both Houses and differences can be resolved in conference.

In previous years the only way Members received impoundment figures was to extract the information, after considerable delay, from OMB officials. The Federal Impoundment and Information Act, approved a year ago, now requires public, quarterly reports of all impoundments.

The most recent Executive report on impoundments shows that approximately $7.446 billion in "budgetary reserve" exists as of September 30, 1973. It shows that funds are impounded in every Cabinet-level department except the State Department, and also in the Atomic Energy Commission, General Services Administration, NASA, Veterans' Administration, National Science Foundation, and the Small Business Administration.

Mr. President, each Member should carefully review this unheralded, yet vital, report. I ask unanimous consent that the October 15 report, along with Director Ash's letter of transmittal, be printed in the RECORD.

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

OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., October 15, 1973.

HON. JAMES O. EASTLAND,
President pro tempore,
U.S. Senate,
Washington, D.C.

DEAR SENATOR EASTLAND: The enclosed report is submitted pursuant to the Federal Impoundment and Information Act, as amended. In accordance with that Act, the report is being transmitted to the Congress and to the Comptroller General of the United States, and will be published in the Federal Register.

Sincerely,

ROY L. ASH,
Director.

Enclosure.

BUDGETARY RESERVES AS OF SEPTEMBER 30, 1973

INTRODUCTION

The Director of the Office of Management and Budget, under authority delegated by the President, is required to apportion funds provided by the Congress. The apportionments are required under the Antideficiency Act (31 U.S.C. 665) and generally are for the current fiscal year. Under the law, such apportionments limit the amounts which may be obligated during specific periods.

The Antideficiency Act authorizes the withholding of funds from apportionment to provide for contingencies; or to effect savings made possible by or through changes in requirements, greater efficiency of operations, or other developments subsequent to the date on which the funds were made available. In cases where the law specifies by year the amount of contract authority available a year in advance, a distinction is made in the report between the 1974 and 1975 programs. There are other specific provisions of law which provide that funds should be available over a period longer than one year; in such cases, the funds generally are not fully apportioned in the current year, and the unapportioned part is withheld, to be released later for use in the next year or years. Thus, some amounts are withheld from apportionment, either temporarily or for longer periods. In these cases, the funds into apportioned are said to be held or placed "in reserve." This practice is one of long standing and has been exercised by all recent administrations as a customary part of financial management.

On occasion the Congress has explicitly required that an amount be placed in reserve pending an administrative determination of need (e.g., the 1973 Agriculture-Environmental and Consumer Protection Appropriation Act—Public Law 92-399). Most reserves, however, are established upon the initiatives of the Executive Branch based on an operational knowledge of the status of the specific projects or activities. For example, when the required amount of work can be accomplished at less cost than had been anticipated when the appropriation was made, a reserve assures that savings can be realized and, if appropriate, returned to the Treasury. In other cases, specific apportionments sometimes await (1) development by the affected agencies of approved plans and specifications, (2) completion of studies for the effective use of funds, including necessary coordination with the other Federal and non-Federal parties that might be involved, (3) establishment of a necessary organization and designation of accountable officers to manage the programs, or (4) the arrival of certain contingencies under which the funds must by statute be made available (e.g., certain direct Federal credit aids when private sector loans are not available).

From time to time additional reserves are established for such reasons as the necessity to conform to the requirements of other laws. An example is the executive's responsibility to stay within the statutory limitation on the outstanding public debt.

The total of reserves for the 1974 program as of September 30, 1974, is 2.8% of the total estimated budget outlays for the year. Since the report as of June 30, 1973, the total of reserves has been reduced by nearly $300 million. As shown in the report, reserves of nearly $1.5 billion established in FY 1973 which were being held for FY 1974 programs have been released to provide or to supplement available budgetary resources for 1974 programs. Reserve actions have been initiated in some programs and amounts in reserve increased in others to await the development of 1974 program and project plans, to meet contingencies during the 1974 program year, and, in the case of programs which have been provided obligational authority beyond the current fiscal year, to ensure that funds will be available beyond FY 1947.

REPORT REQUIRED BY LAW

This report is submitted in fulfillment of the requirements of the "Federal Impoundment and Information Act," as amended, which provides for a report of "impoundments," and certain other information pertaining thereto. This report lists the budgetary reserves which were in effect as of September 30, 1973.

The Antideficiency Act requires that all apportionments be reviewed at least quarterly, and that reapportionments be made or reserves be established, modified, or released as may be necessary to further the effective use of the funds concerned. Thus, in answer

to item Number 5 of the Federal Impoundment Information Act, the period of time during which funds to be in reserve is dependent upon the results of such later review.

The remainder of this report lists, by agency, all accounts for which some funds are reserved. An asterisk (*) identifies those accounts added to the listing since the last report (i.e., such accounts contained no reserves on June 30, 1973). The listing:

Presents the amount currently apportioned for the fiscal year 1974;

Presents the amount in reserve as of September 30, 1973;

States whether the amount reserved will be legally available for obligation in fiscal year 1975;

Indicates the date of the reserve action and the effective date of the current reserve;

Presents a code which relates to the reason for the current reserve action, without necessarily exhausting all possible reasons.

Presents a code which indicates the estimated fiscal, economic, and budgetary impact of the current reserve.

Codes used in the remainder of this report relating to the reasons for and estimated fiscal, economic, and budgetary impact of the reserve actions are described on the following pages. In some cases, the standard explanations given have been modified slightly from those used in previous reports. Such modifications have been made for the sake of clarity. The codes and footnotes listed for each entry relate to conditions which were in effect as of the date of the reserve action.

REASON FOR CURRENT RESERVE

Code 1. "To provide for contingencies" (31 USC 665(c)(2)).

Code 2. "To effect savings whenever savings are made possible by or through changes in requirements, greater efficiency of operations, or other developments subsequent to the date on which such (funds were) made available" (31 USC 665(c)(2)).

Code 3. To reduce the amount of or to avoid requesting a deficiency or supplemental appropriation in cases of appropriations available for obligation for only the current year (31 USC 665(c)(1)). This explanation includes amounts anticipated to be used to absorb or partially absorb the costs of recent pay raises grant pursuant to law.

Code 4. "To achieve the most effective and economic use" of funds available for periods beyond the current fiscal year (31 USC 665 (c)(1)). This explanation includes reserves established to carry out the Congressional intent that funds provided for periods greater than one year should be so apportioned that they will be available for the future periods.

Code 5. Temporary deferral pending the establishment of administrative machinery (not yet in place) or the obtaining of sufficient information (not yet available) to apportion the funds properly and to insure that the funds will be used in "the most effective and economical" manner (31 USC 665(c)(1)). This explanation includes reserves for which apportionment awaits the development by the agency of approved plans, designs, specifications.

Code 6. The President's constitutional duty to "take care that the laws be faithfully executed" (U.S. Constitution, Article II, section 3):

Code 6a. Obligation at this time of the amount in reserve is likely to contravene law regarding the environment; or the amount in reserve is being held pending further study to evaluate the environmental impact of the affected projects (activities) as required by law.

ESTIMATED FISCAL, ECONOMIC, AND BUDGETARY EFFECT

I. Same effect as set forth in the most recently submitted budget document, of which this item is an integral part.

II. The reserve action will bring the budgetary impact of this program to a level nearer or equal to that contemplated in the most recently submitted budget document and contribute to the reduction of inflationary pressures.

III. The change from the previous reserve is expected to contract the budget impact of this program and contribute to the reduction of inflationary pressures.

IV. The release or reduction of the previous reserve will facilitate use and expenditure of the available funds consistent with current program needs and economic conditions in the area affected.

V. Other. See footnote for each item so coded.

VI. Not applicable or no explanation required. (In most cases where a previous reserve has been apportioned in its entirety.)

SUMMARY OF BUDGETARY RESERVES, 1974 PROGRAM

[In millions of dollars][1]

Agency	Amount as of June 30, 1973	Amount as of Sept. 30, 1973
Executive Office of the President	2	
Funds appropriated to the President	126	96
Department of Agriculture	1,316	1,173
Department of Commerce	140	63
Department of Defense—Military	1,618	1,143
Department of Defense—civil	33	1
Department of Health, Education, and Welfare	21	23
Department of Housing and Urban Development	460	456
Department of the Interior	478	162
Department of Justice	36	14
Department of State	6	
Department of Transportation	2,885	3,838
Department of Treasury	22	22
Atomic Energy Commission	118	27
General Services Administration	262	258
National Aeronautics and Space Administration	2	2
Veterans Administration	44	43
Other independent agencies:		
National Science Foundation	62	4
Small Business Administration	50	31
All other	51	90
Total	7,732	7,446

[1] Details may not add due to rounding.

SUMMARY OF BUDGETARY RESERVES, 1975 PROGRAM

[In millions of dollars]

Agency	Amount as of Sept. 30, 1973
Department of the Interior	75

BUDGETARY RESERVES AS OF SEPT. 30 1973

[In thousands o dollars]

[Amounts in parentheses ( ) indicate actions superseded by later apportionment actions. An asterisk * indicates an account added to the list since the last report. An account without an entry in the amount apportioned column indicates no apportionment has been made for fiscal year 1974.]

	Amount apportioned	Amount in reserve	Available beyond fiscal year 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
FUNDS APPROPRIATED TO THE PRESIDENT							
Appalachian Regional Commission: Appalachian regional development programs	(209,000)	(225,000)	Yes	June 29, 1973	July 1, 1973	5, 6c	I
	320,395	40,000	Yes	Sept. 12, 1973	Sept. 12, 1973	5, 6c	I
Agency for International Development: Prototype desalting plant	(1)	20,000	Yes	Apr. 7, 1972	July 1, 1973	5	I
The Inter-American Foundation: Inter-American foundation	5,000	35,652	Yes	June 12, 1973	July 1, 1973	4	V[3]
DEPARTMENT OF AGRICULTURE							
Agriculture Research Service: Construction		1,520	Yes	June 29, 1973	July 1, 1973	4, 6b	I
Foreign Agricultural Service: Salaries and expenses, special foreign currency program	1,000	1,240	Yes	May 23, 1973	July 1, 1973	4	I
Agricultural Stabilization and Conservation Service:							
Rural environmental assistance		210,500	Yes	Jan. 26, 1973	July 1, 1973	6b	I
Water Bank Act program		11,391	Yes	Jan. 26, 1973	July 1, 1973	6b	I
Rural Electrification Administration: Loans		456,103	Yes	Jan. 26, 1973	July 1, 1973	2, 6b, 6c	I
Farmers Home Administration:							
Rural water and waste disposal grants		120,000	Yes	Jan. 26, 1973	July 1, 1973	6b, 6c	I
Rural housing for domestic farm labor grants	(——)	(1,621)	Yes	Jan. 31, 1973	July 1, 1973	5, 6b	I
	750	1,831	Yes	Sept. 10, 1973	Sept. 10, 1973	5, 6b	V[3]
Mutual and self-help housing grants		832	Yes	Sept. 22, 1972	July 1, 1973	4	I
Rural Housing Insurance Fund		133,000	Yes	Jan. 26, 1973	July 01, 1973	4	I
Agricultural Marketing Service:							
Marketing services, no year	(1,422)	(818)	Yes	June 11, 1973	July 01, 1973	4	I
	1,812	818	Yes	Sept. 26, 1973	Sept. 26, 1973	4	I
Perishable Agricultural Commodities Act Fund	1,416	58	Yes	June 11, 1973	July 01, 1973	4	I
Forest Service:							
Forest roads and trails and roads and trails for States	(—)	(278,398)	Yes	Mar. 29, 1973	July 01, 1973	4, 6b	I
	117,164	208,934	Yes	July 16, 1973	July 16, 1973	4, 6d	I
Brush disposal	18,657	26,601	Yes	June 08, 1973	July 01, 1973	5	I
Forest fire prevention	275	109	Yes	June 08, 1973	July 01, 1973	4	I
DEPARTMENT OF COMMERCE							
Social and Economic Statistics Administration:							
1974 census of agriculture	(—)	(1,360)	Yes	Nov. 24, 1972	July 01, 1973	2, 4	I
			Not available	Sept. 13, 1973	Sept. 13, 1973	10	VI

	Amount apportioned	Amount in reserve	Available beyond fiscal year 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, econom.c, and budgetary effect (see code)
Domestic and International Business: International activities, inter-American Cultural and Trade Center.	292	5,067	Yes	June 26, 1973	July 01, 1973	4, 5	I
Office of Minority Business: Minority business development, no-year	(-----)	(16,768)	Yes	Jan. 26, 1973	July 01, 1973	4, 6b	I
	9,080	14,330	Yes	July 24, 1973	July 24, 1973	5	I
National Oceanic and Atmospheric Administration:							
Research, development, and facilities	(-----)	(31,005)	Yes	June 28, 1973	July 01, 1973	2, 4, 6b	I
	(29,868)	(2,392)	Yes	July 19, 1973	July 19, 1973	2, 4, 6b	I
	30,082	2,178	Yes	Sept. 26, 1973	Sept. 26, 1973	2, 4	I
Satellite operations		727	Yes	June 28, 1973	July 01, 1973	5	I
Promote and develop fishery products and research pertaining to American fisheries	(7,191)	(3,159)	Yes	Mar. 29, 1973	July 01, 1973	4, 5, 6a	I
	7,336	3,111	Yes	July 26, 1973	July 26, 1973	4, 5, 6a	I
National Bureau of Standards:							
Plant and facilities		1,850	Yes	Nov. 24, 1972	July 01, 1973	2, 4, 6b	I
Research and technical services, no-year		3,812	Yes	May 07, 1973	July 01, 1973	5, 6b	I
Construction of facilities		740	Yes	Jan. 26, 1973	July 1, 1973	4, 6b	I
Maritime Administration:							
Ship construction	(-----)	(34,000)	Yes	June 29, 1973	July 1, 1973	4	III
	9,137	24,863	Yes	July 27, 1973	July 27, 1973	4	IV
Research and development		5,000	Yes	Jan. 18, 1973	July 1, 1973	4, 6b	I
State Marine schools		127	Yes	Nov. 24, 1972	July 1, 1973	4	I
Federal Ship Financing Fund *	2,582	1,446	Yes	June 27, 1973	July 1, 1973	5	I
DEPARTMENT OF DEFENSE—MILITARY							
Salaries and Expenses: Cemeterial expenses, Army *	14,448	2,053	Yes	Sept. 14, 1973	Sept. 14, 1973	5	I
Procurement:							
Missile procurement, Army, 1973-75	(-----)	(2,500)	Yes	Feb. 5, 1973	July 1, 1973	4	I
	163,382	-----	NA	Sept. 11, 1973	Sept. 11, 1973	10	VI
Procurement of aircraft and missiles, Navy, 1973-75	(-----)	(13,281)	Yes	June 29, 1973	July 1, 1973	5	I
	946,747	13,281	Yes	Sept. 6, 1973	Sept. 6, 1973	5	I
Aircraft procurement, Air Force, 1972-74*	415,551	143,492	No	Sept. 7, 1973	Sept. 7, 1973	5	I
Aircraft procurement, Air Force, 1973-75*	1,076,916	160,556	Yes	Sept. 7, 1973	Sept. 7, 1973	5	I
Shipbuilding and conversion, Navy, 1971-75	(-----)	(145,672)	Yes	Nov 24, 1972	July 1, 1973	4	I
	892,655	-----	Not available	Sept. 11, 1973	Sept. 11, 1973	10	VI
Shipbuilding and conversion, Navy, 1972-76	(-----)	(427,212)	Yes	Nov. 24, 1972	July 1, 1973	4	I
	738,000	148,081	Yes	Sept. 11, 1973	Sept. 11, 1973	4	I
Shipbuilding and conversion, Navy, 1973-77	(-----)	(763,300)	Yes	June 29, 1973	July 1, 1973	4	I
	992,000	408,512	Yes	Sept. 11, 1973	Sept. 11, 1973	4	I
Military Construction:							
Military construction, Army	(-----)	(70,304)	Yes	June 27, 1973	July 1, 1973	5	I
	648,440	90,954	Yes	Aug. 16, 1973	Aug. 16, 1973	5	I
Military construction, Navy	(-----)	(68,133)	Yes	June 27, 1973	July 1, 1973	5	I
	385,805	65,858	Yes	Aug. 14, 1973	Aug. 14, 1973	5	I
Military construction, Air Force	(-----)	(51,607)	Yes	June 27, 1973	July 1, 1973	5	I
	(130,860)	(49,773)	Yes	July 20, 1973	July 20, 1973	5	I
	141,224	39,409	Yes	Aug. 14, 1973	Aug. 14, 1973	5	I
Military construction, Defense Agencies	(-----)	(58,415)	Yes	Feb. 15, 1973	July 1, 1973	5	I
	8,000	58,215	Yes	Aug. 23, 1973	Aug. 23, 1973	5	I
Military construction, Army National Guard	(-----)	(102)	Yes	June 14, 1973	July 1, 1973	5	I
	3,051	-----	Not available	Aug. 16, 1973	Aug. 16, 1973	10	VI
Military construction, Air National Guard	(-----)	(17)	Yes	May 29, 1973	July 1, 1973	5	I
	5,256	17	Yes	Sept. 6, 9173	Sept. 6, 1973	5	I
Military construction, Army Reserve	(-----)	(7,109)	Yes	Mar. 8, 1973	July 1, 1973	5	I
	25,423	7,109	Yes	Sept. 10, 1973	Sept. 10, 1973	5	I
Military construction, Nava. Reserve	(-----)	(3,943)	Yes	May 3, 1973	July 1, 1973	5	I
	17,640	1,842	Yes	Aug. 8, 1973	Aug. 8, 1973	5	I
Military construction, Air Force Reserve	(-----)	(850)	Yes	June 20, 1973	July 1, 1973	5	I
	2,415	850	Yes	Sept. 6, 1973	Sept. 6, 1973	5	I
Special Foreign Currency Program:							
Defense, 1972-74	(-----)	(2,477)	Yes	Dec. 18, 1972	July 1, 1973	5	I
	3,169	2,051	No	Aug. 31, 1973	Aug. 31, 1973	5	I
Defense, 1973-75	(-----)	(400)	Yes	Dec. 4, 1972	July 1, 1973	5	I
	2,998	400	Yes	Sept. 6, 1973	Sept. 6, 1973	5	I
DEPARTMENT OF DEFENSE—CIVIL							
Corps of Engineers:							
General investigations	(-----)	(150)	Yes	June 29, 1973	July 1, 1973	1, 5	I
	65,084	150	Yes	Sept. 15, 1973	Sept. 15, 1973	1, 5	II
Construction	(-----)	(783)	Yes	June 29, 1973	July 1, 1973	1, 5	I
	(9,100)	(333)	Yes	July 27, 1973	July 27, 1973	1, 5	I
	(9,175)	(258)	Yes	July 30, 1973	July 30, 1973	1, 5	I
	1,114,829	258	Yes	Sept. 15, 1973	Sept. 15, 1973	1, 5	II
Flood control, Mississippi River and tributaries	(-----)	(750)	Yes	June 29, 1973	July 1, 1973	1, 5	I
	151,819	750	Yes	Sept. 15, 1973	Sept. 15, 1973	1, 5	II
Panama Canal: Canal Zone Government, capital outlay	(-----)	(700)	Yes	Sept. 8, 1972	July 1, 1973	5	I
	7,436	85	Yes	Sept. 14, 1973	Sept. 14, 1973	1	V
Wildlife Conservation:							
Army	598	107	Yes	June 14, 1973	July 1, 1973	1	I
Navy	60	8	Yes	June 14, 1973	July 1, 1973	1	I
Air Force	124	40	Yes	June 14, 1973	July 1, 1973	1	I
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE							
Health Services and Mental Health Administration: Indian Health Facilities	3,482	848	Yes	June 27, 1973	July 1, 1973	5	I
Office of Education:							
Higher Education, no-year		1,889	Yes	Nov. 30, 1972	July 1, 1973	5	I
Educational activities overseas, special foreign currency program		16	Yes	Apr. 6, 1972	July 1, 1973	5	I
Social Security Administration: Limitation on construction (trust fund)	(-----)	(12,095)	Yes	Apr. 27, 1972	July 1, 1973	4, 5	I
	12,679	19,973	Yes	Aug. 21, 1973	Aug. 21, 1973	4, 5	I
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT							
Housing production and mortgage credit: Nonprofit sponsor assistance		6,520	Yes	Apr. 15, 1973	July 1, 1973	5, 6b, 6c	I
Community development:							
Open space land program		27,730	Yes	Mar. 8, 1973	July 1, 1973	6b, 6c	I
Grants for basic water and sewer facilities		400,175	Yes	Jan. 26, 1973	July 1, 1973	6b, 6c	I
Public facility loans		20,000	Yes	Jan. 26, 1973	July 1, 1973	6b, 6c	I
Office of Interstate Land Sales Registration: Interstate land sales	1,460	1,981	Yes	June 20, 1973	July 1, 1973	4	I

BUDGETARY RESERVES AS OF SEPT. 30, 1973—Continued

[In thousands of dollars]

[Amounts in parentheses ( ) indicate actions superseded by later apportionment actions. An asterisk * indicates an account added to the list since the last report. An account without an entry in the amount apportioned column indicates no apportionment has been made for fiscal year 1974]

	Amount apportioned	Amount in reserve	Available beyond fiscal year 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
DEPARTMENT OF THE INTERIOR							
Bureau of Land Management:							
Public lands development roads and trails	4,000	8,961	Yes	June 8, 1973	July 1, 1973	6d	I
Oregon and California grant lands		1,150	Yes	June 8, 1973	July 1, 1973	4, 5	I
Bureau of Indian Affairs:							
Road construction per 1974 program	57,060	20,000	Yes	Sept. 12, 1973	Sept. 12, 1973	6d	II
Road construction per 1975 program		75,000	Yes	Sept. 12, 1973	Sept. 12, 1973	6d	II
Bureau of Outdoor Recreation: Land water conservation	208,168	61,422	Yes	June 8, 1973	July 1, 1973	6b	I
Geological Survey: Payments from proceeds, sale of water, Mineral Leasing Act of 1920	(2)	27	Yes	June 6, 1973	July 1, 1973	4, 5	I
Bureau of Mines: Drainage of anthracite mines	200	3,575	Yes	June 8, 1973	July 1, 1973	4, 5	I
Bureau of Sport Fisheries and Wildlife:							
Migratory bird conservation account (receipt limitation)	(9,000)	(981)	Yes	June 8, 1973	July 1, 1973	4	I
	12,000	981	Yes	Aug. 23, 1973	Aug. 23, 1973	4	I
Federal Aid in wildlife restoration	45,300	7,863	Yes	June 8, 1973	July 1, 1973	4, 5	I
Federal aid in fish restoration and management	14,565	2,339	Yes	June 8, 1973	July 1, 1973	4, 5	I
National Wildlife Refuge Fund	4,620	4,003	Yes	June 8, 1973	July 1, 1973	4, 5	I
Proceeds from sales, water resources development projects	15	4	Yes	June 8, 1973	July 1, 1973	4, 5	I
National Park Service:							
Parkway and road construction	16,338	34,610	Yes	June 8, 1973	July 1, 1973	6d	I
Construction	28,100	14,500	Yes	July 30, 1973	July 30, 1973	4	I
Operation, management, maintenance, and demolition of federally acquired property*.	17	65	Yes	June 8, 1973	July 1, 1973	4, 5	I
Bureau of Reclamation:							
Construction and Rehabilitation	(16,970)	(1,055)	Yes	June 8, 1973	July 1, 1973	5, 6b	I
	226,857	1,055	Yes	Sept. 15, 1973	Sept. 15, 1973	5, 6b	I
Operation, maintenance, and replacement of project works, North Platte project	(8)	100	Yes	June 6, 1973	July 1, 1973	6e	I
Upper Colorado River Basin fund	(9,072)	(1,390)	Yes	June 8, 1973	July 1, 1973	5	I
	64,911	1,164	Yes	Sept 15, 1973	Sept 15, 1973	5	I
DEPARTMENT OF JUSTICE							
Bureau of Prisons: Buildings and facilities	(.....)	(36,441)	Yes	Jan. 26, 1973	July 1, 1973	5, 6b	I
	45,823	13,594	Yes	Sept 19, 1973	Sept 19, 1973	5, 6b	I
DEPARTMENT OF TRANSPORTATION							
Office of the Secretary: Transportation, planning, and research and development	(.....)	(5,300)	Yes	June 30, 1973	July 1, 1973	4, 6b	I
	34,353	.....	Not applicable	Sept 14, 1973	Sept 14, 1973	10	VI
U.S. Coast Guard: Acquisition, construction, and improvements	(30,946)	(10,609)	Yes	July 12, 1973	July 12, 1973	4, 6b	I
	109,168	12,099	Yes	Sept 14, 1973	Sept 14, 1973	4, 6b	II
Federal Aviation Administration:							
Civil supersonic aircraft development termination	(.....)	(3,575)	Yes	Jan 23, 1973	July 1, 1973	4, 6b	I
	3,600	3,033	Yes	Sept 10, 1973	Sept 10, 1973	4	I
Civil supersonic aircraft development	(.....)	(2,153)	Yes	Jan. 18, 1973	July 1, 1973	4, 6b	I
	800	2,755	Yes	Sept. 10, 1973	Sept. 10, 1973	4	I
Grants-in-aid for airports (Airport and Airway Trust Fund)*	13,000	2,000	Yes	Sept. 14, 1973	Sept. 14, 1973	5	I
Facilities and equipment (Airport and Airway Trust Fund)	(.....)	(207,631)	Yes	Jan. 18, 1973	July 1, 1973	4, 6b	I
	293,075	261,919	Yes	Sept. 12, 1973	Sept. 12, 1973	4	I
Research, engineering, and development (Airport and Airway Trust Fund)	(.....)	(10,000)	Yes	Jan. 18, 1973	July 1, 1973	4, 6b	I
	(.....)	.....	Not available	Sept. 14, 1973	Sept. 14, 1973	10	VI
Federal Highway Administration:							
Highway beautification	(41,977)	(11,521)	Yes	June 29, 1973	July 1, 1973	4, 5	I
	50,000	.....	Not available	Sept. 15, 1973	Sept. 15, 1973	10	VI
Darien Gap Highway	(.....)	(545)	Yes	Jan. 18, 1973	July 1, 1973	4, 5	I
	17,661	.....	Not available	Sept. 14, 1973	Sept. 14, 1973	10	VI
Highway-related safety grants*	(10,459)	(7,897)	Yes	June 29, 1973	July 3, 1973	4, 5	I
	13,229	.....	Not available	Sept. 15, 1973	Sept. 15, 1973	10	VI
Federal-aid highways/1974 program	(1,617,000)	(2,791,841)	Yes	June 29, 1973	July 2, 1973	4, 5, 6a, 6c	I
	6,742,497	3,414,149	Yes	Sept. 14, 1973	Sept. 14, 1973	6a, 6c	I
Federal-aid highways/1975 program	9 6,010,000	.....	.....	.....	.....	.....	.....
Rail-crossings-demonstration projects*	22,322	3,053	Yes	Sept. 15, 1973	Sept. 15, 1973	5	I
Territorial highways*	4,000	1,602	Yes	June 29, 1973	July 1, 1973	4, 6c	I
Trust fund share of other highway programs*	(6,973)	(15,793)	Yes	June 29, 1973	July 3, 1973	4, 5	I
	28,120	.....	Not available	Sept. 15, 1973	Sept. 15, 1973	10	VI
Forest highways trust fund*	(24,000)	(47,604)	Yes	June 29, 1973	July 1, 1973	2, 4, 6c	I
	26,000	.....	Not available	Sept. 14, 1973	Sept. 14, 1973	10	VI
Public lands highways*	(5,000)	(27,000)	Yes	June 29, 1973	July 1, 1973	2, 4, 6c	I
	5,000	5,000	Yes	Sept. 14, 1973	Sept. 14, 1973	4, 6c, 6d	I
Right-of-Way Revolving Fund	48,000	74,782	Yes	June 29, 1973	July 2, 1973	4, 5	I
National Highway Traffic Safety Administration:							
State and community highway safety*	(26,993)	(1,290)	Yes	July 2, 1973	July 2, 1973	1	I
	66,771	.....	Not applicable.	Sept. 13, 1973	July 2, 1973	10	VI
Traffic and highway safety	56,068	2,000	No	Sept. 14, 1973	Sept. 14, 1973	5	I
Construction and compliance facilities	9(.....)	(9,018)	Yes	Jan. 19, 1973	July 1, 1973	4, 5	I
	9.....	18	Yes	Sept. 14, 9173	Sept. 14, 1973	5	V
Trust fund share of highway traffic safety programs	(16,848)	(2,580)	Yes	July 2, 1973	July 2, 1973	1, 5	I
	96,167	.....	Not applicable	Sept. 13, 1973	Sept. 13, 1973	10	VI
Federal Railroad Administration:							
Emergency rail facilities restoration*	27,100	7,648	Yes	July 27, 1973	July 27, 1973	2	I
High-speed ground transportation research and development	(.....)	(15,000)	Yes	Jan. 19, 1973	July 1, 1973	4, 6b	I
	.....	.....	Not applicable.	Sept. 14, 1973	Sept. 14, 1973	10	VI
Grants to the National Railroad Passenger Corporation	(.....)	(10,000)	Yes	Jan. 19, 1973	July 1, 1973	4, 6b	I
	54,900	48,100	Yes	Sept. 13, 1973	Sept. 13, 1973	4, 6b	V 10
Urban Mass Transportation Administration: Urban Mass Transportation Fund	(941,300	(210,853)	Yes	July 6, 1973	July 6, 1973	4, 6b	I
	985,550	.....	Not available	Sept. 14, 1973	Sept. 14, 1973	10	VI
DEPARTMENT OF THE TREASURY							
Office of the Secretary: Construction, Federal Law Enforcement Training Center	383	21,517	Yes	June 6, 1973	July 1, 1973	5	I
ATOMIC ENERGY COMMISSION							
Operating expenses	3,164,739	16,900	Yes	Sept. 15, 1973	Sept. 15, 1973	5	I
Plant and capital equipment	(48,470)	(1,830)	Yes	June 8, 1973	July 1, 1973	5	I
	637,577	9,750	Yes	Sept. 15, 1973	Sept. 15, 1973	5	I

	Amount apportioned	Amount in reserve	Available beyond fiscal year 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
GENERAL SERVICES ADMINISTRATION							
Real Property Activities:							
Sites and expenses, public building projects		22,205	Yes	Jan. 26, 1973	July 1, 1973	4	
Construction, public building projects		234,309	Yes	Jan. 26, 1973	July 1, 1973	2, 4	I
Property Management and Disposal:							
Operating expenses, sale of rare silver dollars	(----------)	(4,000)	Yes	Nov. 30, 1972	July 1, 1973	4	I
	3,400	1,386	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Operating expenses, special fund	(----------)	(850)	Yes	June 26, 1973	July 1, 1973	4, 5	I
			Not available	Aug. 16, 1973	Aug. 16, 1973	10	VI
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION							
Research and development		2,200	Yes	June 8, 1973	July 1, 1973	5	I
VETERANS' ADMINISTRATION							
Medical prosthetic research		3,648	Yes	Feb. 15, 1973	July 1, 1973	5	I
Construction, major projects		34,710	Yes	June 13, 1973	July 1, 1973	5	I
Construction, minor projects		5,000	Yes	Dec. 20, 1972	July 1, 1973	5	I
OTHER INDEPENDENT AGENCIES							
District of Columbia:							
Loans for Capital Outlay, Metropolitan Area Sanitary Sewage Work Funds	(----------)	(300)	Yes	Aug. 7, 1972	July 1, 1973	4	I
	3,900	5,300	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Loans for Capital Outlay, Sanitary Sewage	(----------)	(4,285)	Yes	Aug. 7, 1972	July 1, 1973	4	I
	29,000	24,035	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Loans for Capital Outlay, Water Fund	(----------)	(2,360)	Yes	Aug. 7, 1972	July 1, 1973	4	I
	8,000	7,460	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Loans for Capital Outlay, Highway Fund*	11,900	5,956	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Loans for Capital Outlay, General Fund	(----------)	(6,758)	Yes	Jan. 26, 1973	July 1, 1973	4	I
	176,500	29,526	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Foreign Claims Settlement Commission: Payment of Vietnam and U.S.S. Pueblo prisoner of war claims.	9,125	7,229	Yes	July 12, 1973	July 12, 1973	5	I
American Revolution Bicentennial Commission: Commemorative Activities Fund		5,690	Yes	Nov. 28, 1972	July 1, 1973	5	I
National Science Foundation: Salaries and expenses	56,900	3,500	Yes	June 8, 1973	July 1, 1973	2	I
Railroad Retirement Board: Limitation on Railroad Unemployment Administration Fund	8,578	4,822	Yes	July 1, 1973	July 1, 1973	4	I
Small Business Administration: Business Loan and Investment Fund	(173,100)	(41,316)	Yes	June 29, 1973	July 1, 1973	2, 4, 6b	I
	(178,100)	(48,294)	Yes	Aug. 31, 1973	Aug. 31, 1973	2, 4	I
	348,700	31,094	Yes	Sept. 27, 1973	Sept. 27, 1973	2, 4	I
Water Resources Council: Water resources planning	8,611	27	Yes	Aug. 24, 1973	Aug. 24, 1973	2	I

[1] Funds have not been apportioned while awaiting the completion of negotiations with the Government of Israel.

[2] The amount apportioned is consistent with the limitation on the Foundation's activities according to P.L.93-52 as amended.

[3] The amount apportioned in this account is required to finance a loan approved at the end of FY 1973.

[4] Reserved by request of the Canal Zone Government as a contingency for possible future inspection services.

[5] The Department of the Interior has no present plans for the use of these funds which are available only for the development of water wells on public lands.

[6] No improvements are currently necessary (see footnote [7].)

[7] 66 Stat. 754 requires that certain miscellaneous revenues be deposited in a special fund to provide for the replacement of the project works and to defray annual operating and maintenance expenses when necessary.

[8] This amount is potentially available for use under 1975 contract authority; the amount to be made available to each State for obligation in 1975 is anticipated to be announced by the Department of Transportation on July 1, 1974.

[9] $9,000,000 was rescinded in the 1974 Department of Transportation Appropriation Act. It is now included in the Traffic and Highway Safety account.

[10] The amount apportioned is the full amount legally available until action is taken on the amendment to the Rail Passenger Service Act of 1970.

STATEMENT OF FRANK G. ZARB, ASSISTANT DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET, BEFORE THE SUBCOMMITTEE ON FEDERAL PROCUREMENT OF THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS ON S. 2510, CREATING AN OFFICE OF FEDERAL PROCUREMENT POLICY WITHIN THE EXECUTIVE OFFICE OF THE PRESIDENT

OCTOBER 31, 1973.

Mr. Chairman and Members of the Subcommittee: Thank you for giving us this opportunity to appear before your subcommittee to present the views of the Office of Management and Budget on S. 2510, a bill "to create an Office of Federal Procurement Policy within the Executive Office of the President, and for other purposes."

This proposed legislation grows out of the long hard work of the Commission on Government Procurement. I want to take this opportunity on behalf of OMB to respectfully commend you and Senator Gurney as members of that Commission for the most significant contribution which the Procurement Commission has made to our knowledge of the problems and opportunities for improvement in the numerous important areas which the Commission's report covered. I believe that this report will undoubtedly be the central reference point for many years to come for those who seek to improve Federal government procurement. Many people from the departments and agencies of the Executive Branch lent their energies and insights to the formulation of the report, and we are already well along on a major Executive Branch effort to determine how to implement its recommendations.

S. 2510 which your committee is now considering, confines itself to the first of the Procurement Commission recommendations calling for creation of an Office of Federal Policy. The Commission obviously felt strongly that the issue of central direction and control in Federal Procurement matters was of paramount importance, and chose the route of recommending a separate independent agency to serve this purpose. The report stated that it recommended

". . . an Office of Federal Procurement Policy, high in competence and small in size, established by law and responsive to Congress, and placed in the Executive Branch at a level where it can oversee the development and application of procurement policy. The contracting agencies should continue to be charged with clear responsibility for individual procurement actions."

I emphasize that the major thrust of the Commission's report was what it felt to be a lack of an effective focal point for procurement policy leadership in the Executive Branch. The report defined what it felt should be the major attributes of that central office:

"1. It should be independent of any agency with procuring responsibility.

"2. It should operate on a plane above the procurement agencies and have directive rather than merely advisory authority.

"3. It must be responsive to the procurement policy decisions of the Congress.

"4. It should consist of a small highly competent cadre of seasoned procurement experts."

Mr. Chairman, I think there is little debate over the need for improvement in the central procurement leadership in the Executive Branch. I would like to recommend to you this morning, a way to properly get on with the real interests of all concerned, that is, implementing many of the Commission's recommendations. There are currently two central agencies of the Executive Branch—OMB and GSA—who have been and can continue to be primarily responsible for procurement matters. OMB is primarily concerned with policy leadership on behalf of the President in three significant ways:

First, with respect to the very important budget and resource allocation aspects of procurement in all agencies.

Second, with respect to the effectiveness of the line programs themselves which involve procurement of goods and services through contract.

Third, with respect to policies and practices which govern the procurement process itself and the professional procurement talent who carry this responsibility.

The General Services Administration has long standing responsibility in the Federal establishment for a wide range of procurement matters under the Federal Property and Administrative Services Act, including

the maintenance of the Federal Procurement Regulations (FPR's). And, the Secretary of Defense presently establishes policy for the military departments under the separate provisions of the Armed Services Procurement Act.

Now, one organizational option is to create a third independent Office of Federal Procurement Policy. This option could result in further confusion, duplication, and competition for authority among three agencies, rather than a clarification of roles and a focusing of leadership which the Procurement Commission sought to achieve. The Commission itself did not attempt to define, in detail, what it felt the role of OFPP should be, nor was there much guidance in the Commission report which told us how OFPP would, in fact, relate to the responsibilities which OMB and GSA would, of necessity, continue to exercise as central agencies of government.

In our assessment, the best method for moving forward now with work suggested by the Commission is to improve the present alignments of organization and place responsibility for performance with OMB and other appropriate agencies and hold it accountable for results. To put it another way, the solution to our problems is not so much an organization solution as it is a revitalization of the structure we already have and a commitment to get on with the task of improvement of Federal procurement along the road which the Procurement Commission has already pointed out to us.

Both the needed improvements and the commitment for progress are within the capability of the agencies to achieve, and several new initiatives have already been taken to make these improvements:

1. OMB is committed to the appointment of a Deputy Assistant Director for Procurement Policy, and we have been actively recruiting for a recognized, widely experienced procurement expert to fill this role, and I believe we are close to success with this goal. Until that person is on board, I will act as head of the Office.

2. On May 22, 1973, the President announced the assignment to the General Services Administration of a broader management role to become the President's principal instrument for development of unified effective administrative systems in support of all Executive Branch activities. To assist in performing this role, the President, by Executive Order 11717, transferred to GSA certain staff functions previously performed by OMB in the areas of financial management, systems development, procurement, contracting, property management and automatic data processing management. As a result of these Presidential actions, GSA, under broad OMB policy oversight, is now shouldering a large share of Executive Branch responsibility to carry out an effective review of the Commission's report and recommendations.

3. We will be discussing with GSA and other agencies a complete plan of implementation for these recommendations and other issues which need resolution or further initiatives which should be undertaken. We are using better means of interagency coordination and communication both in connection with the implementation of the Commission report and on procurement matters generally.

I believe the important thing now is to continue the upgrading of the procurement responsibilities which we have already begun in both OMB and GSA and to work with other agencies in a partnership in order to get effective implementation of the Procurement Commission recommendations. I believe that this is the best way of achieving the greater central leadership and focus of procurement policy responsibility which we agree is necessary: What's more important, it will help us focus attention on the main job and not use up time in effort to construct a new organization and work out a new set of relationships.

I think that the main message which the Procurement Commission report conveys to us is that our procurement process does tend to develop problems which need a stronger central leadership and guidance than we have provided in the past. We believe that the central mechanism which I have described is sound and in accord with the spirit of the Commission report and that it is realistically superior to creation of an OFPP, both in terms of the speed and effectiveness with which it can act. We are already committed to moving ahead as effectively as possible with procurement systems improvement.

I do not offer these plans as the final answer in the management of the very complex problems of procurement in the Executive Branch, but rather to demonstrate that we can meet the needs of the government for central leadership without the statutory creation of yet another agency to function in this arena. After several months of work on this basis, we would like to return and discuss with you our direct, early results and the possible need for further legislation to help strengthen Federal procurement policies and priorities.

Thank you, Mr. Chairman, for the opportunity to present our views on this important matter. I will be happy to respond to any questions.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The time for morning business having expired, morning business is concluded.

RIGHTS-OF-WAY ACROSS FEDERAL LANDS—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on S. 1081, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The report will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1081) to authorize the Secretary of the Interior to grant rights-of-way across Federal lands where the use of such rights-of-way is in the public interest and the applicant for the right-of-way demonstrates the financial and technical capability to use the right-of-way in a manner which will protect the environment having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The ACTING PRESIDENT pro tempore. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of Nov. 7, 1973, at pp. 36242.)

Mr. JACKSON. Mr. President, I ask unanimous consent that William Van Ness, Mike Harvey, Jim Barnes, Harrison Loesch, Fred Craft, and David Stang, of the staff of the Committee on Interior and Insular Affairs, be accorded the floor privileges during the consideration and the vote on the conference report on S. 1081, the trans-Alaska pipeline bill.

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

Mr. STEVENS. Mr. President, I make the same unanimous-consent request for Lyell Rushton and Mike Todd of my staff.

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

Mr. JACKSON. Mr. President, the House of Representatives has agreed to the report. Favorable action by the Senate today will clear the way for Presidential signature and construction of the trans-Alaska oil pipeline. The current energy shortage points up the critical need to begin construction of the pipeline as soon as possible so that the vast oil resources on the North Slope of Alaska will be available to help meet our urgent energy needs and reduce our growing dependence on uncertain, insecure, and politically motivated foreign sources of crude oil.

Mr. President, the Senate and House conferees worked long and hard to resolve the differences between the two bodies. I believe that the conference report is a fair and reasonable compromise of those differences although I feel that many features of the Senate-passed bill are superior to the House amendment and the conference report.

The joint statement of the managers explains the conference report in some detail. I will simply highlight the most significant features.

1. REVISION OF LAW FOR OIL AND GAS PIPELINE RIGHTS-OF-WAY

The Senate bill enacted a completely new system for granting rights-of-way across Federal lands. It applied to rights-of-way for many different purposes.

The House amendment applied only to rights-of-way for oil and gas pipelines. It took the form of an amendment to section 28 of the Mineral Leasing Act of 1920, which is the principal authority for granting oil and gas pipeline rights-of-way across public lands.

The conferees adopted the House approach, but expanded it to include pipelines for oil, gas, synthetic liquid or gaseous fuels and refined products therefrom in anticipation of developments in coal gasification and liquefication, oil shale, and tar sands.

The conferees agreed that broader rights-of-way legislation will be made a part of the organic act for the Bureau of Land Management which I expect will be enacted by Congress.

2. GUIDELINES FOR RIGHTS-OF-WAY

The conferees combined and adopted the guidelines governing the grant of rights-of-way that were contained in the Senate bill and in the House amendment. The two sets of guidelines, while different in some respects, were compatible. They spell out in greater statutory detail policies that were formerly left to administrative determination.

3. AUTHORIZATION OF ALASKA OIL PIPELINE

Both the Senate bill and the House amendment provided for the immediate grants of a trans-Alaska oil pipeline right-of-way without further proceedings under the National Environmental Policy Act and with only a limited right of judicial review. The conferees merged the provisions of the two Houses without making major substantive changes.

4. NEGOTIATIONS WITH CANADA

Both the Senate bill and the House amendment provided for further study and negotiations with respect to possible additional oil and gas pipelines from the North Slope of Alaska, through Canada, to the Midwest. The conferees merged the provisions of the two houses without making substantial changes.

5. LIABILITY OF RIGHT-OF-WAY HOLDER

The Senate bill and the House amendment had different provisions regarding the liability of the owner or operator of an oil pipeline for damages resulting from its construction and operation.

The conferees adopted modified versions of all of these provisions.

GENERAL LIABILITY RULES

One provision is of general application and appears in section 28(x). It requires the Secretary or agency head to specify the extent to which the holder of a right-of-way or permit shall be liable to the United States for damage or injury incurred in connection with the right-of-way. Strict liability without regard to fault may be imposed, but a maximum dollar limitation must be stated, and liability in excess of this amount may be determined under ordinary rules of negligence.

TRANS-ALASKA PIPELINE LIABILITY

The second provision is in section 204. It relates only to the trans-Alaska pipeline, and is in three parts. Subsection (a) imposes on the holder of the right-of-way or permit strict liability without regard to fault, and without regard to ownership of the land or resource involved if the land or resource is relied upon for subsistence or economic purposes, for damages or injury in connection with or resulting from activities along or in the vicinity of the pipeline right-of-way. Strict liability is limited to $50,000,000 for any one incident, and liability for damages in excess of that amount will be determined in accordance with ordinary rules of negligence.

Subsection (b) imposes on the holder of a right-of-way or permit liability for the full cost of control and removal of the pollutant of any area that is polluted by operations of the holder.

MARINE LEG LIABILITY

Subsection (c) imposes on the owner or operator of a vessel that is loaded with any oil from the trans-Alaska pipeline strict liability without regard to fault for damages sustained by any person as the result of discharges of oil from such vessel. Strict liability is limited to $100,000,000 for any one incident. The owner or operator is liable for the first $14,000,000. A trans-Alaska pipeline liability fund, which is created by the bill, is liable for the balance of the allowed claims up to $100,000,000. The portion of any valid claim not payable by the fund may be asserted and adjudicated under other applicable Federal or State law.

The fund will accumulate and maintain not less than $100,000,000 from the collection of a fee of 5 cents per barrel of oil transported through the trans-Alaska pipeline and loaded on tankers.

6. LIMITATION ON EXPORTS OF CRUDE OIL

Both the Senate bill and the House amendment contained provisions limiting the export of crude oil and making such exports subject to congressional oversight. The Senate bill applied only to oil from the North Slope of Alaska. The House amendment applied to all oil transported over rights-of-way through Federal lands. The conferees adopted the House language.

7. EXEMPTION OF STRIPPER WELLS FROM PRICE CONTROLS

The conferees adopted the provisions of the Senate bill exempting the first sale of oil and gas from stripper wells from the price restraints of the Economic Stabilization Act of 1970, and from any allocation program. A stripper well is defined as a well with an average daily production during the preceding month of not more than 10 barrels.

8. PAYMENTS TO ALASKA NATIVES

The Senate bill provision amending the Alaska Native Claims Settlement Act to provide for advance payments to Natives was adopted, after first, reducing the amount of the advance payments from $7,500,000 each 6 months to $5,000,000; second, delaying the starting time for the payments from the beginning of fiscal year 1975 to the beginning of fiscal year 1976, and third, deleting the provision making the advance payments a gift if transportation of oil through the pipeline does not commence by December 31, 1976.

9. FEDERAL TRADE COMMISSION AUTHORITY

The Senate provision amending the Federal Trade Commission Act was adopted, with amendments. It increases the civil penalty for violating a final order of the Commission, gives the Commission broader authority to initiate injunction actions and enforce subpenas, and gives the Commission authority to represent itself in court if the Attorney General fails to do so after 10 days notice.

10. REGULATORY AGENCY QUESTIONNAIRES

The Senate provision amending the Federal Reporting Services Act was adopted. It substitutes the Comptroller General for the Office of Management and Budget in reviewing questionnaires proposed to be issued by independent Federal regulatory agencies. The regulatory agency will determine whether it needs the information, but it may not send its questionnaire if the Comptroller General determines that the information is already available from another source within the Federal Government.

11. EQUITABLE REGIONAL ALLOCATION OF CRUDE OIL

The Senate provision giving the President broad authority to take any action necessary to insure an equitable allocation of crude oil and petroleum products among the various regions and States was adopted after it was amended to require the President to use his existing authority to accomplish that objective.

Mr. President, there is no need to discuss the conference report at length. The Nation absolutely needs the oil from this pipeline as soon as the pipeline can be built, and I urge that the Senate move expeditiously to agree to the conference report.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter that I sent to the President with reference to the question raised regarding the Federal Trade Commission amendments, signed by me, by JOHN MELCHER, chairman of the House-Senate Conference on the Alaska Pipeline, and by MIKE GRAVEL, ex-officio member of the House-Senate Conference on the Alaska Pipeline, together with a letter that I received from the Federal Trade Commission Chairman, Mr. Lewis A. Engman, supporting the amendments adopted by the Senate and adopted by the conference.

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

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C., November 9, 1973.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: As the principal sponsors and floor managers of S. 1081, the Alaska pipeline bill currently pending before the Congress, we write to ask your support for our efforts to achieve enactment of this measure without further delay.

After months of painstaking work by members of Congress and the Administration, the major provisions of this legislation have been approved by both Houses, and, after a long and difficult conference, the differences have been successfully resolved.

At the eleventh hour, however, an effort is being mounted by certain private interests and by some members of your Administration to send the measure back to conference for deletion of two provisions which they find objectionable. The general effect of these provisions would be to grant modest but much-needed new authority to the Federal Trade Commission to enable it to enforce more efficiently the laws under its jurisdiction, and to transfer from OMB to GAO the administration of the Federal Reports Act insofar as the independent regulatory agencies are concerned. The merits of these provisions, both from the standpoint of the individual taxpayer and businessman—and particularly the small businessman—who stand to benefit, and from that of sound governmental organization, seem obvious. However, even more obvious to us is the fact that should the campaign to recommit the bill to conference succeed, many questions which were previously settled will inevitably be reopened, and we will be faced with the likelihood of substantial delay in obtaining final passage of the entire bill.

We are confident that you share our view that such further delay at this time would be intolerable. As you stated in your remarks to the nation on November 7, ". . . it is time to act now on vital energy legislation that will affect our daily lives for years to come."

Prompted by the desire to move forward

in the solution of one of the most critical peacetime problems we have ever faced, and convinced that recommittal of the Alaska pipeline bill to conference for any purpose would be irresponsible, we urge your active support for our efforts to obtain Congressional passage of this legislation without further delay.

Sincerely yours,

HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee.

JOHN MELCHER,
Chairman, House-Senate Conference on the Alaska Pipeline.

MIKE GRAVEL,
Ex Officio Member, House-Senate Conference on the Alaska Pipeline.

FEDERAL TRADE COMMISSION,
Washington, D.C., November 9, 1973.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: You have asked for my frank assessment of the significance and practical impact of those provisions of S. 1081 which involve the authority of the Federal Trade Commission and the administration of the Federal Reports Act.

As I have previously stated, I believe that Section 408 of the bill, if enacted, would greatly enhance the Commission's effectiveness in discharging its Congressional mandate to prevent unfair and deceptive business practices and unfair methods of competition. The major provisions of this section would:

(1) authorize the Commission, after notifying and consulting with the Department of Justice, to represent itself in civil proceedings arising under the FTC Act, provided the Department does not take the action proposed by the Commission within 10 days;

(2) authorize the Commission to go into federal court to seek temporary injunction to prevent the continuation of particular aggravated violations of the laws under its jurisdiction, pending the completion of the lengthy administrative proceedings and appeals which lead to a final cease-and-desist order; and

(3) increase from $5,000 to $10,000 the maximum civil penalty for violation of Commission orders—a modernization made necessary by 25 years of inflation since the $5,000 limit was enacted in 1938.

Each of these provisions is essentially a "gap-filling" measure; none would increase the Commission's substantive jurisdiction in any respect. This becomes evident when one realizes that a number of other independent agencies (including the SEC, ICC, and the CPSC) are already empowered to handle most or all of their own litigation, and that for many years prior to 1968, when its authority to do so was put in doubt by the holding in *FTC* v. *Guignon*, 390 F.2d 323 (8th Cir. (1968)), the Commission enforced its own subpoenas in the federal courts. In addition, the Commission already possesses the authority to seek preliminary injunctions under the FTC Act in cases involving the advertising of food, drugs, and cosmetics, and the Department of Justice, with whom the Commission shares responsibility for enforcing the antitrust laws, already has such authority under the Clayton and Sherman Acts. Each of these provisions has been the subject of hearings before Committees of both Houses of Congress, and each was incorporated, albeit in a more modest form, in S. 1219 and H.R. 6313, Administration proposals submitted to the 92d Congress.

In view of these facts, I consider the concern apparently being displayed by certain segments of the business community over Section 408 to be totally misplaced. While the added authority provided by this provision would undoubtedly increase the Commission's efficiency, I see no threat of any kind to the responsible businessman. To the extent that the Commission could be more effective in preserving free and open competition, this can only redound to the benefit of the entire system of free enterprise, and particularly to that of small business. It might be noted in this regard that the occasion for incorporating these provisions in the present legislation was the realization by yourself and other Members of Congress, at the time of the acute gasoline shortage last spring, that because it lacked the authority to seek preliminary injunctions the Commission would have been completely powerless to aid the small gasoline retailer, distributor, or refiner, even assuming there had been proof of the most blatant anticompetitive behavior by their major competitors.

Section 409 of the bill simply transfers from OMB to GAO the administration of the Federal Reports Act insofar as the independent regulatory agencies are concerned. While it is true that GAO would not have the veto power over agency requests for information currently possessed by OMB, I see in this omission no cause for alarm on the part of the business community. The Federal Reports Act was enacted to protect businessmen from duplicative and unnecessarily burdensome information requests from the federal government. Since the vast majority of such requests originate from within the Executive Branch, rather than the independent agencies, OMB will continue to bear the major responsibility in this regard. With respect to the independent agencies, it seems eminently reasonable, if they are to be truly "independent," that their proposed requests for information be passed upon by an agency responsible to the Congress, instead of by OMB. Close coordination between OMB and GAO will of course be necessary, but I see no reason to suspect that GAO will be less diligent in protecting the businessman than OMB has been.

As considerable attention has apparently been focused upon a particular FTC questionnaire with regard to which we have requested OMB approval, the proposed "line of business" form for reporting corporate financial statistics, I would emphasize not only that this questionnaire would go only to the largest of the nation's corporations, but also that the Commission is most receptive to constructive suggestions for modification of the form in order to insure that the costs of compliance will not be excessive.

In conclusion, I would reiterate that the provisions in question, while designed to close several long-overlooked gaps in the Commission's law enforcement authority, in no way extend its substantive reach, nor subject to sanctions any conduct or practice not already covered by the laws under the Commission's jurisdiction. If enacted, they will mean significant benefits for the American consumer and the small businessman, and a greater return on his dollar for the individual taxpayer.

Sincerely,

LEWIS A. ENGMAN,
Chairman.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. STEVENS. Mr. President, today the United States finds itself at a pivotal point in its history, facing perhaps one of the most crucial problems ever to confront America—the energy crisis.

But today, our Nation also has the opportunity to meet this national crisis with an equally important and crucial answer—final passage of the trans-Alaska pipeline amendment.

The need for the pipeline has been known for years, and I have continued to warn my colleagues of the absolute necessity of the trans-Alaska pipeline as the energy crisis has grown more and more severe—not only here in the United States, but throughout the world.

Events of recent weeks have proved the validity and the urgency of my warnings. The Arab nations have cut off oil to the United States and we have no indication of when shipments might be resumed.

Mr. President, America does not have to be subject to the actions of those nations who have hooked us on the habit of foreign oil. We can take care of America's energy problems in America if we will only act now.

But we need not look as far as the Middle East to witness a cutback of oil exports to our fuel hungry Nation. Canada, our neighbor to the North has said that it can no longer afford to supply oil to us at previously expected levels because Canada is now faced with her own energy problems. But the worst may be yet to come. The Canadians plan to extend one of their pipelines to Montreal which will curtail about 500,000 barrels of oil a day to the Middle West. The Canadian Minister of Energy, Mines and Resources said recently that a decision to go ahead on the pipeline to Montreal should be notice to the United States that Americans will have to look elsewhere for much of the Canadian oil that previously served U.S. markets.

Last week in his talk to the Nation on the energy crisis, President Nixon accurately described our acute energy shortage when he said that we must face the stark fact that we are heading for the most acute shortage of energy since World War II.

But President Nixon has launched a bold program toward achieving U.S. self sufficiency in energy by 1980. President Nixon's "Project Independence" is a call for us to begin an intensive effort to solve our energy problems. Passage of the trans-Alaska pipeline amendment is an important first step in making our goal of energy self-sufficiency a reality.

What is of vital importance here is that passage of this landmark bill signals a new era for our country in realizing its potential—the potential of Alaska's vast natural resources can help assure America of a progressive energy plan. But this important bill also marks the embarkation of a new era in the utilization of man's technological resources to meet our energy needs and in a manner that is complimentary with our environment.

Since the richest oil strike in the history of the North American Continent was made at Prudhoe Bay in 1968, the State of Alaska has had the ability and the desire to share this precious resource with the "Lower 48 States." Unfortu-

nately, delay after delay and obstruction after obstruction has resulted in paralyzing this important project while our Nation hungers for petroleum with the energy shortage spreading like an epidemic throughout the industrialized world.

Mr. President, I would point out that had construction been commenced in 1970, this year, 1973, Alaskan oil would now be delivered at west coast ports at the rate of 600,000 barrels a day. That is just about our shortfall right now. By next year, delivery would be at the rate of 2 million barrels a day, and our expected shortfall for next year is 2.1 million barrels a day. I think those who have opposed this project over the years ought to take their share of the responsibility for the crisis the country will face next year.

Today we have before us the vehicle to set a new course. Passage of the bill before us offers us a new lease on our energy life and will help provide the needed catalyst to place the United States in a positive energy position.

Construction of the trans-Alaska pipeline not only means more energy for America—in a time when energy is crucial, but it also means a stronger economy both at home and abroad and assures a firm place for the United States in the society of nations reducing our susceptibility to petroleum blackmail.

Winter is quickly approaching and with it the real spectre of severe fuel shortages that not only threaten the warmth of our homes but also endanger the very futures of many U.S. industries and the jobs of thousands of American workers. It is incumbent upon us to act today in order to safeguard America from energy problems in the years to come.

Mr. President, we cannot afford to bury our heads in the snow and freeze, nor must we allow our economy and the jobs of thousands to be endangered while we stand by idly.

We are grappling with a real crisis and now is the time for action—there is simply no more time for the vacillation that has already cost America dearly. This Nation is looking for the Congress to take action, and the passage of the trans-Alaska pipeline amendment is a call to action. With the passage of this critical legislation we can now begin to get on with the business of solving this energy crisis.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. HASKELL. Mr. President, has the Senator from Alaska completed his statement?

Mr. STEVENS. I have. I thank the Senator very much.

Mr. HASKELL. Mr. President, I should like to make a brief statement on the conference version of S. 1081. As a member of the conference committee, I wish to go on record in support of the final version of the bill.

As the President and my colleagues know, I did not favor mandating a specific route for the transportation of the North Slope Alaskan oil to the lower 48 States. In fact I felt it was more desirable to have an impartial 9-month study to determine whether the economics demanded that the line end up in Chicago, having gone through Canada, rather than at Valdez, and then shipping the oil by tanker to the West Coast. But once the Senate had decided that question, I felt, as a member of the conference committee, that that problem was behind us.

The ACTING PRESIDENT pro tempore. Will the Senator suspend briefly until order is restored? The Senate will come to order. Senators will please clear the aisle and remove their conversations from the Senate Chamber, so that the Senator from Colorado can be heard.

Mr. HASKELL. Mr. President, I feel that the bill as it emerged from conference has substantial pluses over section 28 of the Mineral Leasing Act of 1920. For example, for the first time, those who use public lands for pipelines are required to pay compensation to the Government for the use of that land. As another example, the owners of a pipeline crossing public lands must not only carry the oil produced on adjacent Federal lands but also carry the oil produced on adjacent non-Federal lands. This can be a definite advantage to the owner of a field on private land. Additionally, the Federal Trade Commission provisions, which were mentioned by the distinguished chairman of the committee, the Senator from Washington (Mr. JACKSON), are a definite forward step. They allow the FTC to seek preliminary injunctions to stop deceptive or unfair trade practices.

So, all in all, Mr. President, it seems to me the bill is a step forward in regulating pipelines on public lands and I would support it.

I would, however, invite attention to one provision which I voted against in conference and which I think went beyond the will of the Senate and the will of the House. That section prohibits judicial review not only under NEPA but also under any other law whatsoever pertaining to the issuance of a permit, a lease, or anything else, in connection with the construction of the line. Judicial review is cut off unless a constitutional question is raised or unless an official takes an act beyond the scope of his authority.

I have serious question as to whether this is constitutional. But, whether it is constitutional or not, I think it is bad practice not to have administrative officers subject to judicial review.

But, with this one exception, Mr. President, I would say that the bill is eminently satisfactory and resolves competing interests. I would urge my colleagues to vote for it.

Mr. JACKSON. Mr. President, will the Senator from Colorado yield?

Mr. HASKELL. I yield.

Mr. JACKSON. I want to take this opportunity to express my appreciation, of course, to the Senator from Colorado for the searching way in which he went into this whole issue raised by the Alaska pipeline. It is a real contribution to the end product, which I hope and trust will be a good law and which will help—looking down the road—to provide some answers for the long-range shortages that exist in the area of petroleum products.

I want to commend the Senator for the lawyerlike way and the outstanding way in which he went into all aspects of the issue raised by the pipeline controversy. It touched on just about everything. It was a great help to all members of the committee to have his continuous interest in the matter.

Mr. HASKELL. Mr. President, I wish to thank the distinguished Senator from Washington for those comments and also for his unfailing courtesy both in conducting the markup sessions in the conference.

Mr. FANNIN. Mr. President, I am very much pleased that this day has come and that we shall be voting on this very important legislation.

I want to pay tribute at this time to the chairman of the committee for his excellent work in bringing this legislation to a conclusion.

Mr. JACKSON. Mr. President, if the Senator will allow me to interject there, he is being very generous, but I want to say that we had very fine bipartisan support for this long and, shall we say, protracted discussion in connection with this legislation.

The distinguished senior member of the committee on the Republican side, Mr. FANNIN, was most helpful and most cooperative not only in the long drawn-out hearings but also in the long drawn-out conferences.

I can say the same for both Senators from Alaska (Mr. STEVENS and Mr. GRAVEL). Senator STEVENS was familiar with this problem, not only as a Senator from Alaska by reason of his service in the Senate, but also by reason of his service in the Department of the Interior and his input both prior to his leaving the committee and subsequent to his leaving the committee. The Senator from Alaska (Mr. STEVENS) participated in the arrangements that we have made in connection with the various aspects of the legislation both in the committee and in the conference.

The Senator from Alaska (Mr. GRAVEL), of course, served on the committee and took a long and keen interest in the matter. He sponsored one of the major amendments regarding expedition of adjudicatory processes, which is a major part of this legislation. He, too, participated during the course of the discussions in the committee and as an ex officio member with Senator STEVENS in the conference.

Mr. FANNIN. Mr. President, I want to add my praise to the work of the members of the committee, both on the Democratic side and on the Republican side, for their dedication, their determination, their patience and understanding, and for being willing to listen to all the arguments pro and con on the different amendments. Some of us were

in favor of amendments that were not accepted. Some of us were not in full agreement with some of the provisions in the bill. At the same time, we do have a bill before us which will greatly assist in alleviating some of the problems we have in this Nation so far as the oil shortage is concerned.

I want especially to pay tribute to Senators HANSEN and HATFIELD on my side for their work in bringing about the passage of this legislation. Senator HANSEN is extremely well versed in the problems of the oil industry and many of the facets of oil production and transportation. Senator HATFIELD is a dedicated environmentalist, and a broad-minded and good-thinking person so far as those matters are concerned. I praise both Senators, because they were willing to go forward on the subjects in the legislation about which they had hesitancy, but for the best interests of the Nation they were willing to accept some of the provisions.

Mr. President, the day is long past due when we, in the United States, can sit comfortably on our resources. Resources are of no value unless we can put them to work for the good of man.

The legislation we are voting on today is, in a sense, already 3 years overdue. Were it not for unfortunate obstacles, we could be utilizing the Alaskan North Slope oil today to alleviate the shortage we are facing.

There is no way for us to amend the past, but now that we have this legislation I would hope that construction of the pipeline can be expedited.

Our current energy demands require the importing of 6 million barrels of oil each day. As we all know, this oil simply is not available to us at this time and is not likely to be available in the immediate future.

We desperately need the 2 million barrels of oil that the Alaskan pipeline will deliver daily.

Mr. President, when I speak of the pipeline, I also want to pay tribute to a Senator who is not on the committee but acted in an ex officio manner and gave us counsel and guidance on the different provisions that pertained to Alaska. I refer to Senator STEVENS. He was of great assistance. His expertise in this field is due to his background and his work in the Interior Department, as just stated by the chairman, and his studious activities over the years in the State of Alaska in determining how best to provide for the transportation of crude oil from his State of Alaska and making it available to the lower 48.

As I stated earlier, some provisions were objectionable so far as I was concerned, but I feel that, in the overall, we have an excellent bill.

It is with some anguish that I note it has taken 4 months to move this bill from the initial Senate debate into final passage. Progress has been painfully slow despite the obvious need, I might even say the desperate need of our country.

It is also distressing that at the time we are trying to take a step forward by increasing our fuel supply, we take a step backward by increasing the capacity for the Federal bureaucracy to impede American industry.

The provisions attached to this bill, giving additional powers to the Federal Trade Commission and allowing the bureaucracy to load commerce down with additional paperwork, are very unfortunate. It is a sad commentary that when the broad interests of the Nation are threatened that the narrow interest of a few will insert such provisions in legislation which we must have.

We can only hope that the powers granted here—powers which can virtually destroy American industries if improperly used—will not be abused.

If the energy situation were not so dire, I would oppose this legislation because of these very unwise provisions.

As it is, we must have the Alaskan oil both to meet our national energy needs and to cut down on our balance-of-payments outflow. The Alaskan oil also is high grade with low sulfur, meaning that it will produce less air pollution than some oils currently in use.

This pipeline has been planned and studied now for more than 4 years. I am confident that it will be safe, secure, and efficient.

We are told that it can be put into operation about 3 years after the start of construction and initially will deliver up to 600,000 barrels per day. By 1980 it will reach the 2-million-barrel level.

Mr. President, I am pleased that the Congress finally recognized the wisdom of building this pipeline across Alaska where our Nation can maintain full control.

As we have seen in recent weeks, without control of source and delivery system there is no energy security for the United States.

We are good friends and good neighbors with Canada, and I trust that we always shall be, but we saw what happened when the energy crunch really hit. The tax on oil delivered to the United States from Canada jumped from 40 cents per barrel to $1.90 per barrel. Venezuela also hiked its tax.

As a firm believer in the capitalist system and the forces of supply and demand, I cannot blame producer nations for raising the price when they know that we must pay it.

We learned from the Arab oil cutoff that if we become dependent upon imported fuels we will become subject to political blackmail. And we learned that when a strategic product like oil becomes scarce even good friends are not going to pass up the chance to make a good profit at our expense.

I would hope that this legislation is just the beginning of our efforts to develop our own energy self-sufficiency. Now we must rapidly find out exactly what the potential of the Alaskan fields is, and begin the planning to put this resource fully to work for our Nation.

There has been extensive discussion, and we have been working in the Interior Committee on legislation to meet the energy crisis. Much of our attention has been focused on ways to curtail energy usage and to spread shortages equitably.

We must have legislation which will enable us to put our abundant resources to work—to expand or at least maintain our own energy supplies. This means the fullest use not only of petroleum reserves in Alaska, but also off-shore and continental shelf drilling. It means additional use of our vast coal reserves, oil shale conversion, development of geothermal areas, quicker construction of nuclear plants, and continued efforts to make solar energy economically feasible.

This legislation, however, will be the first bill we have passed which actually will result in expansion of our energy resources. It is an important step toward reaching the goal of self-sufficiency by 1980 which was proclaimed by President Nixon.

Mr. President, I should like to commend all my colleagues who have worked diligently on this bill. I also want to pay tribute to the staff and to express my gratitude to the staff and commend them for the excellent work they have done. Both the majority and minority staff members have contributed greatly to the successful bringing of this bill to the Senate today for final action.

I am very pleased to have had the opportunity to work with the chairman of the committee, and I again express my commendation to him for the way this bill has been brought to a conclusion.

Mr. JACKSON. Mr. President, I again want to express my appreciation to the able senior Senator from Arizona for the splendid bipartisan cooperation we had in working out the final details of this bill. Before we conclude, I believe I should make a few comments in connection with this matter.

I hope and trust that the bill which will be placed on the President's desk by nightfall will not be vetoed. There have been rumors that Mr. Roy Ash is going to recommend a veto. I may say, Mr. President, that Mr. Ash was very active on the Hill and elsewhere in expressing his opposition to the Federal Trade Commission amendments I sponsored in the Senate. This is his right. But implicit in his comments was that if we did not take out the Federal Trade Commission amendments, which were adopted by a 7-to-1 margin in the Senate and approved in conference, he would recommend a veto.

At a time when we need the kind of bipartisan support that I think is essential to bring this country through its most difficult domestic crisis in the economic area probably since World War II, we need to have the kind of confidence expressed on both sides of the political aisle in the executive branch that we have been able to obtain in the legislative branch.

I shall be sorely disappointed, and will say to the President that if the bill is going to be vetoed, I do not know when we are going to get to it. However, I cannot believe that the rumors are true,

because I think there are some level heads in the administration who will not follow that course of action, especially after the House rejected the attempt to recommit the bill to conference for the purpose of deleting the Federal Trade Commission amendment.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. STEVENS. I am happy to have the firm support of our chairman. I should like to be certain that the record is clear, and I wonder whether the chairman would object if we were to place in the RECORD at this point the provisions of subsection (m) of section 408 as they appear in the final version of the bill, and the provision of that subsection as it was reported from the conference committee.

I should like to make certain that people realize that we have returned to the Senate version of this provision that pertains to the power of the Federal Trade Commission to represent itself in the courts in civil actions.

The chairman of the committee knows that the Parliamentarian of the House interpreted broadly the original conference committee provision with reference to the Federal Trade Commission and said it could be interpreted to permit the Federal Trade Commission to prosecute criminal actions. Having returned to the original version as it passed the Senate, the provision applies only to civil actions. It requires notification to the Attorney General within 10 days to permit action by the Commission. We have substantially compromised on the provision that originally raised the ire of Director of the Office of Management and Budget, to make certain that they understand the provision they are objecting to. I do not think they did.

Mr. JACKSON. I might suggest that that provision be placed in the RECORD. I have no objection to quoting that section.

Mr. STEVENS. Mr. President, I ask unanimous consent that subsection (m) and subsection (m) of the final version of the conference report be printed in the RECORD.

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

ORIGINAL CONFERENCE PROVISION

(d) Section 5 of the Federal Trade Commission Act (15 U.S.C. 45) is amended by adding at the end thereof the following new subsection:

"(m) The Commission shall have the power to initiate, prosecute, defend, or appeal any court action in the name of the Commission for the purpose of enforcing the laws subject to its jurisdiction through its own legal representative, after formally notifying and consulting with and giving the Attorney General 10 days to take the action proposed by the Commission."

FINAL CONFERENCE PROVISION

(d) Section 5 of the Federal Trade Commission Act (15 U.S.C. 45) is amended by adding at the end thereof the following new subsection:

"(m) Whenever in any civil proceeding involving this Act the Commission is authorized or required to appear in a court of the United States, or to be represented therein by the Attorney General of the United States, the Commission may elect to appear in its own name by any of its attorneys designated by it for such purpose, after formally notifying and consulting with and giving the Attorney General 10 days to take the action proposed by the Commission."

Mr. JACKSON. Mr. President I simply wanted to make this statement because other people in the administration have been most cooperative in connection with the expedition of the bill. I think it is regrettable that Mr. Ash saw fit to inject himself into the Federal Trade Commission aspects of the matter which held up action on the pipeline bill in the House. I would hope that from here on out we could get a little better cooperation in connection with urgent matters that are so vital to all Americans whether they are Republicans or Democrats.

I want to say that on the legislative side—and I repeat it—we have had the finest bipartisan cooperation in getting action on these matters.

To point out the criticality of the energy situation as it relates to petroleum at the present time, let me cite some figures that I received on a confidential basis just before I came to the Chamber.

It is now estimated that at the present time the shortage for the Nation in connection with petroleum production will run 17 percent; for gasoline it is going to be 21 percent; for distillates, and by that we mean heating oil, fuel oil, and kerosene, 13 percent; and for residual oil, 24 percent.

What I am about to say is the most significant aspect of the whole problem. Unless a solution is found on transportation, the logistics problem, in connection with the oil industry, the east coast will suffer a doubling of these figures. So instead of a shortfall overall of 17 percent, it will be 28 percent, and that is for all petroleum products. But for the east coast it will be 42 percent for gasoline; for distillates it will be 26 percent, and for residual fuel oil, so essential in the operation of electric power industries, it will be 48 percent.

This means that one of the most serious problems facing the industry and the Nation is transportation, the ability to move it from one area of the country to the other. Mr. President, it is almost reminiscent of the early days of World War II before we built the Little Inch and Big Inch pipelines. At that time we were moving the oil by tankers from Texas and Louisiana up the east coast. After the outbreak of the war the tankers were being sunk one after another and our supplies to the east coast were almost cut off. Now we face a transportation crisis which is just as important as meeting the necessary shortages of the fuel itself.

This points out the critical situation we face nationwide, but the critical problem especially that we face on the east coast unless transportation solutions can be found and the National Energy Emergency Act that we reported out of committee yesterday and on which a report will be filed tonight, is acted on; and I hope we will be able to bring it up tomorrow. It will give emergency authority to the President to deal with this particular problem in the transportation area.

I am hopeful that with expeditious action the President will have the necessary authority and the tools to do the job.

Mr. STEVENS. Mr. President, I am certain that my colleagues who have studied the conference report have discovered that the construction, operation and maintenance of the Trans-Alaska pipeline will be subject to a series of responsible standards intended to protect the environment, create liability where necessary, and protect the public interest. The specific requirements of the law will be further developed by stipulations and regulations, and the final result will be a series of specific and essential Federal guidelines for this project to insure that it will be completed as safely and efficiently as possible.

I would like my colleagues to also know at this time that the State of Alaska shares these concerns, and that the State clearly recognizes its obligation to provide, from the perspective of the people who will live with the pipeline, its own standards to protect the environment, set measures of liability and provide otherwise for the proper progress of this project in the public interest.

In addition to the State law which already covers various areas of concern with regard to the pipeline and its related activities, the State intends to consider and enact laws and standards compatible with Federal standards to protect its air, water, fish, and wildlife, and other public resources; to deal with the hiring, health, and safety of the pipeline-related worker; to provide for comprehensive surveillance of the pipeline at all stages to insure that this unprecedented construction project, and all its associated aspects are properly controlled from the State perspective. All of these measures, Mr. President, are contemplated within the traditional and well-established jurisdictional powers of the States, and within the jurisdictional power given Alaska in this instance as the landlord respecting pipeline activities. We are hopeful practical Federal-State relations can be worked out to minimize the time and costs involved in applying both the Federal and State measures.

I make these points, Mr. President, to assure my colleagues that the State of Alaska sees its responsibilities at this time quite clearly, and to solicit your assurance that nothing in this bill in any way limits the exercise of the State's legal and jurisdictional power to carry out these responsibilities.

Mr. JACKSON. I appreciate your statement, and the fact that the State is so keenly aware of its responsibility. Let me assure the gentleman from Alaska that the bill in no way limits the exercise of State responsibility he has suggested. Nor does it limit the Federal Government's jurisdiction over Fed-

eral lands. I hope the State and Federal Governments can reach practical arrangements that will protect Federal and State interests with minimum cost and minimum delay in construction time.

As you will note, in section 204(c)(9), a stated disclaimer of preemption is made, and made there only to emphasize the point even in that comprehensive liability section. I believe the conference report anticipates the appropriate exercise of State power and responsibility to make certain that this large and important project is completed and operated in the public interest, and I thank the gentleman for raising the point here and having it clarified.

Mr. STEVENS. Under section 28(d), is the Secretary or agency head required to conduct a hearing prior to making a finding that a right-of-way wider than 50 feet is necessary?

Mr. JACKSON. It is not intended that section 28(d) requires a specific hearing and a finding under this section can be made without a hearing. Of course, section 28(k) provides for a hearing on rights-of-way applications where appropriate. As pointed out in the conference report, we do not contemplate that duplicate hearings will be required to comply with NEPA, and since the Alaska oil pipeline is specifically authorized by title II, no further hearings are required for that right-of-way.

Mr. STEVENS. That section provides that the reasons for such a finding be recorded. It is my understanding that the Secretary may record his reasons in Bureau of Land Management public land orders, an environmental impact statement, or any other public document.

Mr. JACKSON. That is correct.

Mr. STEVENS. Section 28(h)(2) requires an applicant for a new project which may have a significant impact on the environment to submit a plan of construction, operation, and rehabilitation. As stated in the conference report, it is not intended that such a plan be a final one since all details cannot be known at the time of application. Is it contemplated that the Secretary or agency head will have the sole discretion to determine if a submitted plan is satisfactory?

Mr. JACKSON. Yes. This, like every other discretionary determination which the Congress has authorized the Secretary to make; it is not intended that such a determination be the subject of judicial review on any grounds other than an abuse of discretion.

Mr. STEVENS. Mr. President, section 28(l) of title of S. 1081 as reported by the conference committee will require applicants and holders of permits to reimburse the United States for costs incurred in processing applications for rights-of-way across Federal lands and in monitoring construction and operation of pipelines on Federal lands. As my colleagues know, the State of Alaska owns the one-eighth royalty interest in the Prudhoe Bay discoveries and thus has a real interest in the cost of transporting North Slope oil to market, a cost which will be affected by these reimbursable costs. In addition, as a member of the Appropriations Subcommittee which will oversee collection of these costs, I feel our legislative record should clearly show Congress' intent that the costs to be reimbursed under this subsection are only those direct and identifiable costs of processing applications and monitoring pipeline construction and operation which are reasonable and necessary for those purposes. I understand it is not the intent of the conference committee that applicants and holders be charged with costs incurred by Federal agencies in activities not related to approving the application for a permit or related to enforcing its terms during construction, operation, or termination of the pipeline. I will be grateful if the esteemed chairman of the Senate conferees would comment on this.

Mr. JACKSON. Mr. President, the Senator is correct. The conferees intend this provision, like the Senate-passed provision, to require reimbursement of all reasonable administrative and other costs incurred in processing an application and in inspection and monitoring of construction, operation, maintenance and termination of a pipeline across Federal land. The conferees contemplate that the Secretary will promulgate regulations establishing a schedule for reimbursement according to standards which are fair and equitable and as uniform as practicable, taking into consideration the direct and indirect cost to the Government, the value to the recipient, the public policy in public interest served and other pertinent facts. In the case of the trans-Alaska pipeline permit it is anticipated that the Government will be reimbursed for all money that has been, or will be, appropriated and spent as a line item under this subject.

Mr. STEVENS. Mr. President, I note that section 28(o) of title I as reported by the conference committee would establish conditions and procedures for suspension and termination of rights-of-way across Federal lands. I believe these provisions apply to all pipeline rights-of-way across Federal land which will be granted under the new act, including the trans-Alaska pipeline. I would inquire of the chairman whether I am correct in this understanding.

Mr. JACKSON. Mr. President, the Senator is correct. Section 203(c) of title II requires that rights-of-way and other authorizations for the trans-Alaska pipeline be subject to the provisions of section 28 of the Mineral Leasing Act as amended by title I with certain exceptions which do not include section 28(o). That latter section will therefore apply to the trans-Alaska pipeline.

Mr. STEVENS. I thank the chairman, Mr. President and ask him further whether the provisions for judicial review under the Administrative Procedure Act incorporated by section 28(o) will be afforded to all holders of such rights-of-way, including the holders of the trans-Alaska pipeline.

Mr. JACKSON. Mr. President, again the Senator is correct. The conferees have provided in section 28(o) that an administrative proceeding under the Administrative Procedure Act must be accorded all holders of such rights-of-way prior to suspenson or termination of the right-of-way. This does not mean, of course, that a hearing is required when the Secretary or his representative acts under 28(o)(2) temporarily to suspend activities within a right-of-way or permit area, as distinguished from terminating or suspending the permit itself, any final suspension or termination order—even the temporary suspension of activities—is subject to judicial review.

Mr. STEVENS. Is my understanding correct that the common carrier requirement contained in section 28(r) is not intended to apply to the component parts of a pipeline system not directly involved in the transportation of oil or natural gas to market. For example, related facilities such as access roads, airstrips, electric lines and fuel lines for supplying power to pumping stations, would not be subject to this requirement?

Mr. JACKSON. Yes.

Mr. STEVENS. The second sentence of section 28(x)(1) authorizes the promulgation of regulations specifying the extent to which holders of a right-of-way shall be liable to third parties where the right-of-way "involves lands which are under the exclusive jurisdiction of the United States." It is my understanding that this provision is only applicable to Federal enclaves which are not subject to State law governing third party liability. Is that correct?

Mr. JACKSON. Yes. We do not intend to supersede or preempt State law on third party liability wherever State law is applicable. There are unique Federal areas, however, where a State has no legislative jurisdiction. This provision would only apply to those so-called Federal enclaves. In addition the provisions of section 28(h)(2)(D) authorize strict liability provisions for Alaska oil and gas pipelines (other than TAPS) with respect to persons who rely on natural resources for subsistence purposes.

Mr. STEVENS. Section 203(d) precludes judicial review of the actions of Federal officers concerning the issuance of the necessary rights-of-way, permits, leases, and other authorizations for the trans-Alaska pipeline system. What types of actions would be covered by this provision?

Mr. JACKSON. This provision is intended to cover all actions of all Federal officers necessary to get this pipeline built and on-stream at maximum capacity. Such actions include the issuance and the procedures followed in issuing all necessary authorizations; it includes the imposition of terms and conditions; and it includes subsidiary authorizations, such as notices to proceed, which will be issued in the course of construction of the pipeline.

Mr. STEVENS. Mr. President, section 204(A)(5) in title II would impose strict liability on the holder of the right-of-way for the trans-Alaska pipeline for its activities conducted pursuant to rights-of-way and permits issued to the State of Alaska. I would inquire of the chair-

man whether such liability will cease when those activities under the rights-of-way and authorizations issued to the State have been completed?

Mr. JACKSON. The answer to the Senator's question is "Yes." During hearings it was brought out that the pipeline contractor will also serve as contractor for the State of Alaska in constructing the State highway and airports. It is the intent of this section that strict liability during construction of these facilities will cease once the facilities are built and turned over to the State.

Mr. STEVENS. Mr. President, I note that the conference report has eliminated the reference to the State highway and three public airports for which the State of Alaska has made application and which were specifically authorized in S. 1081 as passed by the Senate. I would like to ask my colleague, the chairman of the Senate conferees, if the conference report is intended to authorize the construction of these facilities as proposed by the State of Alaska as discussed on pages 27 and 28 and elsewhere in the environmental impact statement on the pipeline.

Mr. JACKSON. Mr. President, the answer to the Senator's question is "Yes." Section 206 of S. 1081, as reported by the conference provides that a right-of-way or permit granted under title II for a road or airstrip as a related facility of the trans-Alaska pipeline may provide for construction of a public road or airstrip. Since the proposed State highway from the Yukon River to Prudhoe Bay and three proposed State airports along the right-of-way route are necessary for and related to the construction, operation and maintenance of the pipeline system, issuance of the necessary authorizations to the State of Alaska for these facilities is directed by title II.

Mr. GRAVEL. I have a question which I would like to propound to the chairman of the Committee regarding what will become subsection (h) (2) (D) of section 28 of the Mineral Leasing Act under the conference bill.

In section 28(h) (2) (D) the conference adopts a provision which was included in S. 1081 as reported by the Senate Committee on Interior and Insular Affairs. That provision states that the Agency head, prior to granting a right-of-way, shall issue regulations or impose stipulations which shall include "requirements to protect the interests of individuals living in the general area of the right-of-way or permit who rely on the fish, wildlife, and biotic resources of the area for subsistance purposes." In commenting on that provision, the report of the Senate Interior and Insular Affairs Committee made clear that in the case of pipelines in Alaska, that provision was intended to require the inclusion of a stipulation imposing absolute liability upon the holder of the permit in favor of such persons. Does the chairman agree that section 28(h) (2) (D) of the Mineral Leasing Act as agreed upon by the conferees carries that meaning?

Mr. JACKSON. The distinguished Senator from Alaska is correct. It is intended to give that provision the meaning indicated by the Senate committee report as described by the gentleman in his question.

Mr. GRAVEL. I thank the distinguished chairman of the Senate Committee on Interior and Insular Affairs. Am I further correct in understanding, then, that in the case of permits for pipelines in Alaska such absolute liability provisions in favor of the persons described in section 28(h) (2) (D) would be required even though Section 28(x) appears to be cast in discretionary terms?

Mr. JACKSON. The Senator is correct in the understanding. Section 28(x) was not intended to relieve the head of the Agency from the responsibility intended to be imposed by section 28(h) (2) (D) to include an absolute liability stipulation in the case of any Alaska pipelines other than the trans-Alaska pipeline.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield for a question?

Mr. JACKSON. I yield.

Mr. ROBERT C. BYRD. Mr. President, the Senate has no other business today, once it acts on the pending conference report. It is anticipated that the conference report on the HEW Appropriation bill will come over from the House, perhaps after 5 o'clock this afternoon. This would mean that on tomorrow the Senate could meet and take up the HEW conference report, the State and Justice Appropriation conference report, and possibly begin action on the energy bill. But the latter remains to be seen, because some Senators may wish to invoke the 3-day rule. I hope they will not, the energy crisis being what it is. In any event, the mandatory oil allocations conference report will not be acted on today by the House, I understand. This means that after the action on the conference report now pending before the Senate is completed, there will be no other business before the Senate.

Now, my question is: Would it be possible to agree at this time on a time to vote on the adoption of the conference report, say at 12 o'clock noon or later today?

Mr. JACKSON. It is agreeable with me, and I will be finished in 1 minute. I think that my colleague and I agree. We wanted the yeas and nays.

Mr. ROBERT C. BYRD. Yes. My only reference to 12 o'clock noon is the desire to let committees, now meeting, complete their meetings by 12 o'clock noon.

Mr. STEVENS. Mr. President, will the Senator yield

Mr. JACKSON. I yield.

Mr. STEVENS. As I mentioned to the majority whip, my good friend from West Virginia, I did anticipate that the vote would take place sometime around 2 o'clock today, and there are Senators concerned with that time. I do not know why we could not wait 2 hours for those people.

Mr. JACKSON. The only problem I see with respect to 2 o'clock is that we have Senators leaving at 12 o'clock. It was announced in the notice and in the RECORD that we were coming in at 10 o'clock today. I did not see how we would go into the afternoon. As far as I am concerned, it is up to the Senate. But if we postpone it, then Senators who were notified to be here at 10 o'clock will not be treated fairly and had there not been the notice that we were coming in, and it was in the RECORD for 10 o'clock Tuesday for this purpose, I would not hesitate, but I would just hope that we could vote at noon.

Mr. FANNIN. Mr. President, I cannot disagree with the Chairman. I understand there are Senators scheduled to leave and we have to try to be as fair as we can with all Senators involved. But with respect to Senators leaving we cannot treat them differently than Senators coming in. So it is only right that we go ahead and try to accommodate as many Senators as we can.

Mr. ROBERT C. BYRD. What is the desire of the distinguished manager of the conference report and the distinguished Senator from Arizona?

Mr. JACKSON. 12 o'clock noon.

Mr. STEVENS. 12 o'clock.

Mr. FANNIN. I understood some Senators were leaving at 12 o'clock.

Mr. JACKSON. 12 o'clock noon is fine.

Mr. ROBERT C. BYRD. Very well. It appears that 12 o'clock noon is agreeable on both sides.

Therefore, Mr. President, I ask unanimous consent that the vote on the pending conference report be held at 12 o'clock noon today.

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

Mr. ROBERT C. BYRD. That will be a yea-and-nay vote, once enough Senators are on the floor to sustain a demand for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. JACKSON. We will make the request as soon as we have enough Senators on the floor.

Mr. ROBERT C. BYRD. I thank the Senator.

Mr. JACKSON. Mr. President, I just have one final comment to make and that is, as I have indicated earlier, and I wish to reiterate now, if after the first of the year I find that the Alaskan pipeline matter is tied up in litigation and we are going to be litigating through next year it is my intention then to introduce and push through Congress as fast as I can legislation to authorize the Federal Government to build this line. The shortage is critical in the petroleum area, and it is coming home to all Americans. We have been warned for over 2 years now. We must make sure that construction starts on this pipeline by March of 1974 so that we can complete it by 1977 and have the oil moving.

I yield to my distinguished colleague.

Mr. FANNIN. Mr. President, I wholeheartedly agree with the Senator from Washington, the chairman of the committee. We do face an emergency. The weatherman is going to determine how soon that comes about. I feel that the President must have some flexibility in

dealing with the energy emergency. I also feel very keenly about the problems posed in connection with some of the amendments referred to by the distinguished manager of the bill.

Unfortunately, the FTC and the reporting of amendments are characteristic of the zeal with which certain Members of Congress have sought to solve the energy crisis by excessive regulation. I question the viability of these procedures in light of the energy emergency. Until Congress recognizes that we need less, rather than more, regulation, there will be little hope to expand energy supplies. Until we recognize this we will then only continue to spread shortages around and as a result, people across this Nation will be cold. I heard the distinguished Senator talk about spreading shortages around.

I am making reference to the provisions in the bill that the President referred to. He called for immediate action of the pipeline bill and referred to the FTC and Reporting Act provisions as unnecessary and extraneous. That is why I did oppose those amendments in the conference and on the floor of the Senate. I do not think very many Senators were observant of just exactly what was involved when they voted on the FTC regulation amendment. So it was passed by an over-overwhelming vote. I think if Members of the Senate had been given an opportunity to study the effect it may have on what we are trying to do, the vote would have been different.

Nevertheless, we have a bill before us today and certainly it is the important matter.

Again I say, we must go forward with this legislation. We will hope that, in a very short time, the pipeline will be under construction and we will have oil flowing from Alaska to the lower 48 States.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. JACKSON. Mr. President, I am happy to yield to the able Senator from Alaska.

Mr. STEVENS. Mr. President, I want, on behalf of the people of Alaska, to express our appreciation not only to the Senator from Washington and the Senator from Arizona, but also to all of the members of the conference committee who worked so diligently on this legislation.

I think once the decision was made on the floor of the Senate to proceed with the Alaska pipeline after the historic vote, in which the former Vice President cast his vote to break the tie on a motion to table the reconsideration of that vote, we have all proceeded with one thing in mind, and that is that the amendment should be the best possible amendment in view of the circumstances. I am satisfied that this amendment, which limits the right to judicial review, should withstand any attack in court.

I am particularly grateful to our able staff members: Bill Van Ness, Dave Stang, Mike Harvey, Harrison Loesch, and Lyell Rushton, and Max Gruenberg of my staff, who worked very diligently, and Lewis Sigler, counsel for the House Interior Committee, who likewise has done yeoman work. I think they should be recognized for the great service they performed.

I am particularly delighted that the Senator from Washington (Mr. JACKSON) and the Senator from Arizona (Mr. FANNIN) agreed to allow my colleague and me to be ex officio members of the conference committee, so I might be present and assist in the deliberations pertaining to this tremendous project for my State.

I do not know whether it has been repeated on the floor, but I want to repeat that this is the largest single project ever attempted by private enterprise in the history of man. I do not think there has ever been a project that has been studied, restudied, analyzed, and reanalyzed more than this project has been. It is the first project of its type that has been so completely planned, reviewed, and discussed at all levels of Government before its initiation.

I am hopeful that we will have a project that is engineeringly and environmentally sound and will deliver our oil to the markets of the south 48 as rapidly as possible.

Does the Senator from Oklahoma wish the floor?

Mr. BARTLETT. Yes.

Mr. STEVENS. I yield to the Senator from Oklahoma.

Mr. BARTLETT. Mr. President, I wish to commend the Senator from Alaska and the Senator from Arizona for their tremendous efforts in the passage of the amendment which legislated the Alaskan pipeline and all those who supported it and voted for it. I commend also the chairman for his efforts to remedy the right-of-way-width problem which was created by court action.

I rise to express my support of and encourage the acceptance of the Alaskan pipeline bill, S. 1081. Although there are some provisions to the bill which individually I would not support, such as the FTC provisions, the legislating of the building of the Alaskan pipeline has been too long delayed already.

The Alaskan pipeline bill is the first constructive piece of legislation dealing with increasing our available energy supplies. In the past, Congress has been content merely with spreading out the shortages.

I want to issue a warning, however: The Alaskan pipeline is not the solution to the energy crisis. It is no panacea. Additional legislation to encourage the development of energy in the short term and the long term must be acted on expediently.

The earliest possible date that Alaskan oil might reach the lower 48 States is late in 1977—4 years from now. And even then it would not be flowing full capacity. Many steps must be taken to increase domestic production between now and late 1977. I would hope that just because we have the Alaskan pipeline bill we will not become lax in our responsibility to the people of the United States. They deserve more than sacrificing because of shortages—they deserve action to alleviate those shortages.

I would like to point out that there is one provision in the Alaskan pipeline bill that will help to alleviate the current shortage.

The "stripper well" amendment which I introduced will achieve results this year that will help the crude oil shortage problem. This amendment will help to maintain domestic crude oil production that now exists, but is on the brink of being lost forever. We need every last drop of producible crude oil. We cannot afford to let price controls or mandatory allocation force economically marginal oil wells to be shut in. The stripper well provision will help to stretch out the life of the so-called stripper well.

A stripper well is a low productivity, marginally economic well. It can produce just enough oil to remain above the breakeven point. By definition a stripper well averages 10 barrels of oil per day or less. They provide approximately one-eighth of our daily domestic supply of crude oil.

Eliminating the stripper well would eliminate a substantial part of our country's producible oil reserves. Currently stripper wells have reserves of almost 5 billion barrels of oil—that's equivalent to about one-half the estimated reserves on the North Slope of Alaska. There were 359,471 stripper wells in 1972. The average stripper well produced 3.13 barrels per day of crude oil. If the average production of each well were to increase only 1 barrel per day per well this would mean an overall production increase of 359,000 barrels per day. This is the equivalent to the production that could be expected from three major domestic oil field discoveries. The Senate, in its wisdom, passed the "stripper well" amendment with only one descending vote.

If and when the Alaskan pipeline bill is signed into law—which I know it will be soon—for the first time Congress will have initiated in the stripper well amendment a constructive action to increase domestic energy supplies.

I hope that my colleagues will continue to work diligently to approve other measures such as the deregulation of natural gas prices and the removal of price controls upon crude oil which also will act to increase supplies of greatly needed energy.

I must express my extreme reluctance to accept the provisions of S. 1081 that broadly extend the powers of the FTC and other agencies. The ensuing holocaust of inquiries and paperwork always places an undue burden on the smaller businessman. It seems when legislation is drafted with the large corporations in mind, it always tends to hurt the small fellow worse and run a few more people out of business.

Irregardless, the importance of the Alaskan pipeline overshadows my apprehensions toward the uncalled-for FTC provisions, which incidentally I voted against when it was voted on upon the floor of the Senate, and I will vote to accept the conference report on S. 1081.

Mr. President, I yield back the remainder of my time.

Mr. GRAVEL. Mr. President, I rise to support the conference report, as other Senators have done.

I would like to thank the Senator from Washington (Mr. JACKSON) for the distinguished leadership he has provided over the years in what has turned out to be quite an involved issue. The Senator from Washington has acted quite ably.

I would also like to commend Representative MELCHER who, in the course of the House deliberations and during the conference committee, conducted himself in a very creditable manner. He provided a great deal of leadership on this matter, and I commend him for his accomplishments.

Mr. President, I would like to recapitulate for a moment to place the matter in perspective. The discovery of oil on the Alaskan Slope occurred in 1968 and 1969. Had the Nation and its leadership acted wisely at that time, we could have vigorously undertaken the study, the engineering and design, and the building of a safe pipeline which would have brought this product to the United States by 1973. We could have had that oil at this time. It probably would have supplied a million barrels a day right now. That would have alleviated the shortfall we are projected to experience this winter, which will be about 2.3 million barrels per day.

It is necessary to underscore this because often we suffer from our bad judgment and mistakes. This mistake is so large it can be a lesson and guide to future action. This is where industry and the environment clashed. This was the big experiment of our industrial-environmental confrontation.

I think we have weathered that storm. No longer will we see industry thinking it can bull through its desires, unmindful of the total ecological needs of our society.

Similarly, I think that we will not see a continued Government reaction to that pressure, with the hope that the problem will go away. Environmental problems cannot and will not go away.

I first felt that we were ready as a Nation to begin construction of the Alaskan pipeline when I made the decision to push for the pipeline amendment that was agreed to in the Senate by one vote.

As we look back at that very short 3-month span, it seems light years away. If we had a similar vote at the present time, in the light of what is going on in the Mideast, and in the light of the shortfalls we are experiencing, that issue would not win approval by just one vote, but would win overwhelmingly. There is now much greater realization of how erroneous was the criticism that the vote was an effort to circumvent the matter of environmental awareness.

I think the facts will bear out the statement that the Alaskan pipeline is the environmental position to take with respect to the transportation of oil. This is the new high-water mark. I think that all of our modes of transportation will have to emulate it. I dare say that the new design and the other environmental protections have probably increased the cost of the pipeline by about one-third. By the same token, the strip mining bill will increase the cost of mining coal. That merely means we as a society determine the total cost of our activities at the beginning rather than concentrate only on profits, expecting the Government to pay the damages that come about as a result of our action. I think the Alaskan pipeline will be a model for industry and will be a new high point that other industries must reach for.

Mr. President, let me add that the Alaskan pipeline not only meets the problem of bringing to the lower 48 States 2 million barrels of oil a day, oil which is most vitally needed, but it also signifies a more important development, that of opening up the storehouse of resources that lies in the Arctic.

All during the pipeline controversy the construction of the Trans-Alaskan pipeline was suspended, and we experienced a hiatus of activity in oil and other extractive activities that could have helped mitigate the needs of our country today.

What will happen as we begin to understand the problems of the energy crisis—and the problems are extreme—underlines the severity of the situation. We are not talking about an energy crisis that will be over this winter. We are talking about an energy crisis that will have a duration of 10 or 15 years. We are talking about an energy crisis that is dwarfed by the attendant financial crisis.

Some of the things we are experiencing this year—a lowering of the thermostats and the interest in the purchase of small automobiles—are not so significant as the threat to our economic system that will result from a recession which these things may augur.

I think one of the great tragedies is that if we pay much more attention, as politicians, to the pipeline, as though it were more important to get the oil, we will not pay sufficient attention to the other problems of the Nation. And it will make very little difference whether a person has oil available. The problem will be whether he has the ability to buy the heating oil, the small car, or the gasoline.

Mr. President, this is an area to which we have given less attention. It will be the most important problem that will face the country. If we experience a recession, this will be a most serious problem, which will occur 5 years down the road. I think that we could very easily be thrown into a depression by the economic repercussions of what has taken place in the Mideast.

Leaving that matter aside, the requirements of importation will cause such a hemorrhage of dollars outside of this country that we will likely be visited by a depression. In any event, we will lose control of our economic system. We had a minor example of this when the administration lost control over the economic system last February.

But with the hemorrhaging that will take place just to maintain the standard of living that we have come to enjoy, we will throw into a tailspin our entire free enterprise system.

There are many answers. One is to bring about the investment of these dollars. The other is to increase commercialism, to export more. I think these are very small answers to the total problem. The real answer is very simple: We cannot spend more than we have. So if we want to maintain the standard of living we have come to enjoy, what we have to do is begin to produce more.

When I talk about unlocking the storehouse of Alaska, I talk of figures that can reach anywhere from 6 to 10 million barrels of oil per day. I observe that the Committee on Interior and Insular Affairs, in its deliberations under the able leadership of its chairman, went from a concept of an Alaska pipeline versus a Canadian pipeline to the realization that we need both pipelines.

I think that issue is somewhat altered because of the rapidly changing dynamics of what is going on in Canada today. I doubt that we can integrate within the Canadian economy an oil pipeline and a gas pipeline. I think the best we will be able to do will be to request the Canadians to sell us a strip of ground so that we can transport Alaskan products directly to the United States, without involvement at all within the Canadian economy.

I would say that could bring to the United States another 2 million barrels of oil. There is no question in my mind that we will talk about 2 million barrels of oil through a pipeline through Canada, and probably the equivalent of 1 million barrels through Alaska. This involves negotiation with the Canadians for the Northwest Passage. I think, with the changing economics, there is no question that any reasonable person will agree that the great experiment of Humble with the *Manhattan* through the Northwest Passage is economically viable, and that the sooner we get to building the environmentally safe super ports on the east coast, the sooner we will be able to ply those waters. And if we are blessed, as we are in Alaska, with those reserves, then we can see the acceleration of shipment to the east coast of the United States of something on the order of 2 million to 4 million barrels a day.

This is the promise that is unleashed by the action we will finally take today. I think our Nation, through the free enterprise system, can respond to the problem as it begins to confront our society. I think we can respond favorably. I only hope we do not overreact and create a bureaucracy and a governmental infrastructure that does violence to the functioning of this free enterprise system. In my short tenure of office, I have come to realize that government does not always afford answers, and that many times, as we try to solve economic and social problems by the use of government, we displace the checks and balances without our system—checks and balances which have really provided a discipline to keep us all in check, whether

we are government employees or profit-motivated individuals in the marketplace. I have found that unless these checks and balances are automatic, they are most difficult to employ, because the person who is least able to realize the need for the checks and balances is, of course, the person who needs them the most.

With that consideration, and with the realization that later on this week we will be taking up emergency legislation, I yield the floor, giving due note to the fact that my State, the great State of Alaska, which has been unusually blessed with this great wealth, is also more than sufficiently equipped with human beings of character and responsibility to handle that wealth. They can meet the challenge that lies before them—to build, under very difficult circumstances, a prototype society, for not only the rest of the United States to emulate, but possibly the entire world.

Mr. McGOVERN. Mr. President, I understand that the White House has threatened to veto the Alaskan pipeline bill because certain provisions of the bill would:

First, permit the Federal Trade Commission to seek injunctions against unfair or deceptive practices on its own instead of going through the Justice Department;

Second, allow independent regulatory agencies to seek the information they need to do their jobs without the consent of the Office of Management and Budget;

Third, require Senate confirmation of the heads of the Office of Energy Policy and the Mining Enforcement and Safety Administration.

Frankly, I find these positions hard to understand. For months now the administration has been stressing the urgency of this legislation as vital to our energy policy. Apparently, the White House now views keeping independent regulatory agencies under tight political rein more important than the development of Alaskan oil.

When this matter was initially before the Senate, I supported the Mondale-Bayh amendment and opposed the present bill because the Canadian route provided a better alternative. Pumping Alaskan oil through the Mackenzie Basin would have provided oil where it is needed most—in the Midwest—and at the cheapest cost to both our economy and our environment.

But Senators MONDALE, BAYH, HUMPHREY, and I lost that fight; a majority of the Congress has adopted the plan advocated by the administration and the major oil companies. History will show whether our warnings that the Alaskan route will result in an oversupply on the west coast and the siphoning off of 25 percent of Alaskan oil to Japan were correct.

But since the choice has been made, we should now get on with the job of building the pipeline. On that basis I will support the conference report and hope that the development of Alaskan oil will not be further delayed by a Presidential veto.

Mr. METCALF. Mr. President, in approving the conference report on the Alaska pipeline bill, the Congress is sending to the President what is, I believe, the first restriction on excessive power of the Office of Management and Budget to be enacted into law by the 93d Congress.

I refer to the provisions in the Senate bill, agreed to by the House, to remove from OMB its control over the questionnaires sent to business firms by Federal regulatory commissions. The agreed upon language gives the General Accounting Office authority to review these questionnaires and submit suggestions. But GAO will not be permitted to delay, delete or kill questionnaires of independent Federal regulatory commissions as OMB and its predecessor, the Bureau of the Budget, have done through the years, whatever administration was in power.

OMB and the old Bureau of the Budget exercised this control through their big business advisory committee apparatus and the administrative procedures inherent in both OMB and agency proceedings. These procedures militate against representation of the viewpoint of users of information collected from business by the agencies. These advisory committees and administrative procedures are still being applied to questionnaires submitted to executive departments. What the Congress is saying, in approving the pipeline bill provisions, is that an agency of the Congress, the GAO, will review the questionnaires submitted by the independent regulatory commissions which are not a part of the executive branch. But these commissions, creatures of the Congress, have the final say.

So this is a move to upgrade the status of these important commissions, some of which have been so demoralized by executive branch leverage over their actions that they have not even attempted to run questionnaires through the gauntlets.

This constructive change, this realinement of the legislative-executive relationship, also puts an additional responsibility upon the independent commissions. Executive branch dilution and delay of questionnaires can no longer be pleaded as an excuse for inaction by the commissions. In sum, the commissions now will have an excellent opportunity to review their information collection practices, including the quality and clarity of information which they display in their public files and disseminate to the public. I urge the commissions to undertake this review now. And I suggest to the GAO that, consonant with its new responsibilities, it participate in this evaluation.

Mr. President, the conference and the House have also agreed upon another important proviso to upgrade and enhance the independence of regulatory commissions. I refer to that provision which permits the Federal Trade Commission to take its enforcement actions in its own name into Federal Courts, instead of being dependent on the Justice Department, whose insufficient attention to the needs of the FTC has, upon occasion, led to undue delays in obtaining legal remedies. On this point I shall, at the conclusion of my remarks, insert in the RECORD the chronology of a case—involving a company disputing FTC authority to collect certain information from it—which has dragged on for 10 years.

Mr. President, the legislative history of the section of the pipeline bill relating to questionnaire procedures was written by the House Government Operations Committee and its Legal and Monetary Affairs Subcommittee, as well as the Senate Government Operations Committee and its subcommittees. I want especially to note the contribution and cooperation of Chairman HOLIFIELD of the House Government Operations Committee and the leadership of former Congressman John Monagan, who was the leading House sponsor of legislation which became Public Law 92-463, the Federal Advisory Committee Act.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the chronology of the FTC legal action to which I have referred.

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

PURITAN FASHIONS CORPORATIONS, ET AL. VERSUS FTC, CIVIL ACTION N. 70-64, U.S. DISTRICT COURT, D.C.

CHRONOLOGY

1. January 18, 1962: Resolution of Commission ordering investigation of sale and distribution of specialty items.
2. September 25, 1963: Order to Puritan Fashions to file Special Report.
3. October 8, 1963: Letter from Attorney for Puritan Fashions asking if the FTC had obtained clearance from the Office of Management and Budget pursuant to the Federal Reports Act.
4. October 16, 1963: Commission replies that no clearance had been obtained.
5. November 9, 1963: The Commission directs Puritan Fashions to comply with Order.
6. November 1963: Petition filed by Puritan Fashions to vacate and set aside Order of September 25, 1963.
7. December 9, 1963: Petition denied and time to file extended to January 26, 1964.
8. January 10, 1964: Puritan Fashions files complaint in U.S. District Court for the District of Columbia seeking to enjoin Order of the Commission.
9. January 22, 1964: Commission stays order of September 25, 1963, as amended.
10. February 1964: Commission files motion for Summary Judgment.
11. April 22, 1970: Puritan Fashion Files interrogatories.
12. March 6, 1973: Motion for Summary Judgment denied.
13. March 19, 1973: Puritan Fashion permitted to seek discovery in a reasonable period of time (no date set) with an estimated completion date to be supplied by it.
14. May 17, 1973: Commission given 30 days to answer complaint.
15. May 8, 1973: Puritan Fashion moves to depose Henry I. Lipsky.
16. August 30, 1973: Henry I. Lipsky gives testimony.

Mr. ROBERT C. BYRD. Mr. President, I wish to commend Senator JACKSON and the other Senate conferees for the excellent job which they have performed in developing and reporting this legislation, gaining Senate passage thereafter, and for their diligence which resulted in resolving the differences between the House and Senate versions of the measure we are considering today.

I particularly want to express my appreciation to the conferees for their retention of my amendment—section 405 of the trans-Alaska pipeline bill—which provides for Senate confirmation of the Director of the Mining Enforcement and Safety Administration within the Department of the Interior. My amendment, as revised and adopted by the conference committee reads as follows:

SEC. 405. The head of the Mining Enforcement and Safety Administration established pursuant to Order Numbered 2953 of the Secretary of the Interior issued in accordance with the authority provided by section 2 of Reorganization Plan Numbered 3 of 1950 (64 Stat. 1262) shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That if any individual who is serving in this office on the date of enactment of this Act is nominated for such position, he may continue to act unless and until such nomination shall be disapproved by the Senate.

I originally introduced this measure as a separate Senate bill, S. 1828, on May 16, 1973, and that bill was referred to the Senate Committee on Interior and Insular Affairs. I later decided that it would be more expeditious to include it as an amendment to S. 1081, which I felt would be acted upon during this session of Congress. Therefore, on July 12, 1973, I introduced it as an amendment to the trans-Alaska pipeline bill, and it was adopted by a rollcall vote of 93 to 2.

Mr. President, a vigorous and fair enforcement of the Coal Mine Health and Safety Act and the Metal and Nonmetallic Mine Safety Act is a necessity to provide vitally needed protection and safeguards to the mineworkers of the United States. I have taken action to require the Director of the Mining Enforcement and Safety Administration to be subject to Senate confirmation because I want to take every step possible to insure that, whatever administration is in office, whether it be Democratic or Republican, it will be encouraged to appoint the most qualified and competent individual available to fill this post.

Since Congress developed and enacted the Coal Mine Health and Safety Act, I believe that we should also take all action possible to insure that this act is effectively but fairly enforced. I believe my amendment is a forceful step in that direction and I again thank the conferees of both Houses for their cooperation which made possible its inclusion in the pending measure.

Mr. HART. Mr. President, as I have stated in the past, I have serious problems with the provisions in this bill which set aside environmental protections in order to rush through the building of the Alaska pipeline. Also, I have some very strong antitrust concerns about the ownership of the resources in Alaska and of the proposed pipeline. In fact, I believe that had the Department of Justice completed its investigation, by now they would have been compelled to file suit for divestiture and that would have resulted in the pipeline not being built to serve California. Rather, it would have been going to the Midwest via the Canadian route.

If this bill pertained only to the pipeline, I would vote against accepting the conference report and for instructing the conferees to add environmental protections to the bill.

However, I will not so vote today, for I am convinced that if the bill went back to conference, the only thing that is likely to be changed in it would be to eliminate the FTC amendments. And that would be a further blow for consumers.

The FTC amendments, which allow the Commission to get preliminary injunctions and to directly enforce its subpenas in Federal court, and which allow all independent regulatory agencies—arms of the Congress—to obtain information necessary to their investigations without fear of an OMB veto, is a great plus for consumers.

They are equally important as a protective measure for small business against predatory and anticompetitive conduct by business giants. For example, independent gasoline retailers may be saved from arbitrary cutoffs.

Contrary to the arguments of the Chamber of Commerce, small businesses will not be encumbered with an avalanche of forms to fill out from regulatory agencies. Rather, big business will be put on the same basis as small business with disclosure requirements.

These amendments are still in the bill despite frantic lobbying activity against them.

Special words of thanks should go to the cochairmen of the conference committee, the distinguished Senator from Washington (Mr. JACKSON) and Congressman MELCHER, for leading the effort in support of the amendments. But this was clearly a bipartisan effort and all the conferees, leaders on both sides of the aisle and relevant committee chairmen, deserve praise.

Indeed, I am most delighted to add my thanks to the many they will receive for their fine work.

Because of the FTC amendments, I will vote for this bill—in order to give the Commission tools to do properly the job which Congress has assigned them. I urge my colleagues to do the same.

Mr. EAGLETON. Mr. President, despite reservations which led me to vote against this bill when it was before the Senate, I will support the conference report to permit immediate exploitation of our Alaskan oil reserves. No domestic program today has greater priority, in my opinion, than dealing with our deepening energy crisis.

The Arab embargo of oil sales to this country, while not itself the cause of the problem, has sharply aggravated energy shortages which have been in prospect for some time. This winter we could fall as much as 20 percent short of what we require.

No longer can we talk about fuel problems in terms of inconvenience to motorists or higher prices at the gas pump. Today, quite literally, the economic and social well-being of this Nation is on the line.

Even before the Middle East boycott, a study by the Stanford Research Institute concluded that "without immediate action on the energy front, there could be an ominous flattening of the economic growth rate of the United States between 1975 and 1980" from the 4.2 percent needed for a healthy economy to a mere 1.6 percent. That could mean a depression rate of unemployment in the range of 10 to 12 percent.

Early warning signs of such an economic impact are already present. In the last 3 weeks, my office alone received complaints from 20 Missouri companies warning of shutdowns or cutbacks unless they can be assured of adequate supplies of gas and other fuels.

As one constituent put it, "What good does it do for me to have an allocation of heating fuel for my home if I don't have a job so I can pay the bill?"

The energy emergency we now face might have been ameliorated had the administration heeded congressional warnings of more than a year ago when Missouri suffered fuel shortages. The attitude then was that it was a temporary and localized problem, not requiring Federal action. That was the position, too, when the administration opposed my fuel allocation amendment last spring.

In the days ahead, the American people will be asked to make many sacrifices and Congress will have difficult decisions as it attempts to balance competing objectives. Among other things that will mean rethinking some of the requirements and timetables of our environmental program.

In the long run, I am convinced that with wise use of existing energy resources and a concerted program to develop new ones we can avoid some of the calamitous events being predicted. But it will take the best we have as a people to meet the challenge.

Mr. HOLLINGS. Mr. President, I wish to commend the distinguished chairman of the Committee on Interior and Insular Affairs, Senator JACKSON, for his leadership and diligent work which led to this conference report on the Alaska pipeline bill.

One of the more significant achievements of the Senate and House conferees was approval of provisions relating to vessel liability for marine pollution.

It is a well-known fact that numerous large oil tankers will be transporting crude oil from Valdez, Alaska, to the rest of the United States. The potential danger from such heavy traffic of tankers, including the very large crude carriers—VLCC's—is such that the conferees recognized the need for special mechanisms to protect the marine environment.

Section 204(c) addresses this issue by establishing strict liability and limiting it to no more than $100 million for any one single incident. The owner and operator of the vessel shall be liable for the first $14 million in damages, with the balance to be provided from a Fund to be established in accordance with this subsection.

It is the intention of the Committee on Commerce, which provided assistance in drafting this provision, that further attention be paid to this matter in the future. On page 29 of the conference report, it is stated:

The Conferees hope that the appropriate committees of the House and Senate which are considering the more general subject of

marine liability will harmonize the liability provisions of the Trans-Alaskan Pipeline Authorization Act and the liability provisions of any general legislation that may be developed.

We certainly recognize and welcome our further responsibility on this matter, Mr. President. It has been pointed out correctly that there is no such liability requirement elsewhere in coastal areas of the United States. One of the methods the Committee on Commerce is considering to rectify this shortcoming would be legislation creating three separate funds to deal with oil pollution liability for vessel owners and operators—one on the west coast, one on the east coast and one in the Gulf of Mexico.

Presently pending before the Committees of Commerce and Foreign Relations is legislation implementing an international convention establishing an oil pollution compensation fund and limiting vessel owner-operator liability to $14 million. In addition, the Intergovernmental Maritime Consultative Organization—IMCO—would set up and maintain a fund increasing total liability to $32.4 million. This fund would be provided from assessments levied against receivers of oil in signatory States.

As to liability provisions affecting coastal trade in the United States, between States, it was felt that the limitation of the proposed international compensation fund was insufficient. Moreover, should we enact legislation implementing the international fund into domestic law, the International Convention on Civil Liability for Oil Pollution Damage would supersede conflicting Federal and State laws then in effect. Clearly, the provisions of the pipeline bill as to liability were drawn to fit into the international mechanism.

As I noted several years ago, during hearings on this legislation the civil liability convention—

> Takes important steps toward international agreement in this area, and that these steps should be positively acknowledged by the Senate. At the same time, the limitation of liability provisions are inadequate and should not be affirmed until a supplemental international compensation fund for oil pollution damage can be negotiated, signed, and submitted for ratification.

It is now clear, Mr. President, that our present international conventions are inadequate to the task. The danger is much greater today than it was back in 1971. Tankers are much, much larger, and the volume of ocean transportation of crude oil has taken a quantum leap.

For this reason, I believe it is important that we consider legislation to broaden the scope of domestic compensation funds so that the case in Alaska will not be different from the case in Florida or Maine or Louisiana. In this way, we can recognize and participate in international agreements, but take adequate measures to provide even greater protection for our marine and coastal environment here in the United States.

Mr. MONDALE. Mr. President, I will reluctantly vote for approval of the conference report on S. 1081, the Alaska pipeline bill.

This past summer Congress made clear its determination that the Alaska pipeline should be built through the State of Alaska and not across Canada as many of us had suggested.

It has always been my position that we need Alaskan oil and that this oil should flow to the lower 48 States as quickly as possible, consistent with environmental safeguards and the greatest benefit for the entire country. During the course of debate on the pipeline bill this summer, I believe I demonstrated that a trans-Canadian pipeline alternative—which could have been thoroughly but swiftly studied under an amendment which I and the distinguished Senator from Indiana (Mr. BAYH) offered—would have offered greater overall benefits to the country than an Alaska pipeline. It would have provided the flexibility for Alaska oil to reach all parts of the country through an existing network of pipelines, without significant delay in bringing this oil to American markets.

The Congress, however, has decided that this pipeline should be built across the State of Alaska and this is now the only alternative open to the Congress if we are to begin receiving this oil as quickly as possible.

The Congress also made its will known that this pipeline should be constructed without further challenges under the National Environmental Policy Act of 1969. I strongly opposed this provision last summer, and I strongly oppose it now. It could set the type of precedent which would nullify one of the most important pieces of environmental legislation ever enacted by the Congress. And it could do so in a manner which would encourage private interests to seek congressional relief whenever this law threatened to reduce the profitability of their own ventures.

I do not believe that we in Congress should bend to this sort of pressure. However, we must recognize the fact that the Alaska pipeline will be built, and recognize the many excellent provisions contained in the conference report. In particular, those provisions allowing the Federal Trade Commission to initiate injunctive proceedings to halt deceptive business practices if the Justice Department fails to act within 10 days, and the provision allowing regulatory agencies to bypass OMB in seeking data from businesses are most valuable. These will be valuable tools for the Federal Government in stopping fraud on the marketplace and in attempting to acquire the type of data needed to undertake effective regulatory policies.

The balancing between the extremely harmful provisions relating to NEPA and the exemplary provisions relating to the FTC and other regulatory agencies is a difficult one. I would have greatly preferred had this legislation not attempted to circumvent NEPA in our rush to get the pipeline moving. We all want Alaskan oil; our country needs as much of it as we can possibly get. But we should have allowed the orderly processes of law to unfold, rather than upsetting the law for some temporary advantage.

In the end, however, Congress has decided that this pipeline should be built across Alaska. I hope and trust that as a result of the efforts of those groups concerned with our Nation's environment, this pipeline will be built in as safe a manner as possible. And I hope that in the future, we can plan legislation with such a major effect on our environment in a manner which will recognize the energy needs of our country without circumventing the law.

Mr. GRIFFIN. Mr. President, there has been considerable discussion about the possible alternative of an oil pipeline across Canada to the Midwest.

I want to make clear for the RECORD why a Michigan Senator, who is deeply concerned about the need for energy in the Midwest, believes it is necessary and desirable to support this trans-Alaska pipeline legislation.

The energy shortage in Michigan and the Midwest is serious. Our area boasts the greatest concentration of industrial manufacturing capacity in the world. The very lifeblood of our economy in Michigan is energy—energy which is translated into jobs for our people as well as comfort in their homes. A lack of energy means economic stagnation, fewer jobs; it means more unemployment and individual hardship. Needless to say, Michigan winters can get very cold.

I have carefully considered the arguments for a proposed oil pipeline across Canada. But I am convinced that the needs of the Midwest would be better served by moving now to begin construction of the Alaska oil pipeline.

Time is a big factor. The trans-Alaska line is ready now to be built. All of the prepermit work has been accomplished. It will be only 789 miles long. Construction time is estimated at 3 years.

By contrast, almost no preliminary work has been accomplished for construction of a trans-Canada line. Such a line would be 3,400 miles in length.

Opting for a trans-Canada route could mean a delay of 5 years or more before any oil would begin to flow.

I do not want to leave the impression that I am opposed to the construction of a trans-Canada oil pipeline. As new reserves are developed, I believe the day will come when it may be feasible to have both a trans-Canada and a trans-Alaskan oil pipeline.

While most attention has focused on the importance of moving oil from the North Slope, I want to indicate that a major consideration in my decision relates to the importance of getting natural gas moving to the Midwest.

Proved reserves of natural gas in Alaska are 31.5 trillion cubic feet and additional potential supplies—undeveloped up to now—are estimated at 327 trillion cubic feet.

By comparison, total proved natural gas reserves in the lower 48 States at the end of 1972 were 234.5 trillion cubic feet, according to Federal Power Commission reports. Thus, the proved reserves in Alaska are approximately 13 percent of the proved reserves in the rest of the Nation and the potential is enormous.

There is a critical need for this gas. I am fully aware of disputes that have arisen over the accuracy of natural gas reserve figures, but the fact of the mat-

ter is that the national growth in energy demand—and the shrinkage of Middle Eastern oil imports—make it imperative that all gas possible be brought to market as quickly as possible.

The curtailment of natural gas deliveries by interstate pipelines as reported by the Federal Power Commission—nearly 1 trillion cubic feet this summer—emphasizes the vital importance of developing new supplies for the consumer. The curtailment figure this summer is a 64-percent increase over last year, and estimates are that curtailments this coming winter will be 18 percent more than last year. These reductions, compounding the oil shortage, underscore the need for prompt action to bring more natural gas to market.

The quickest means of initiating natural gas production from the North Slope is to begin construction of the trans-Alaska oil pipeline. To insist upon a trans-Canada oil pipeline route would actually delay natural gas deliveries by 5 years or more, because of a number of complicating factors other than construction time. These include the problem of amassing capital to build both an oil line and natural gas line across Canada, the availability of men and materials to construct two such lines at relatively the same time, and the impact on the Canadian economy of two multibillion dollar projects.

A group of 26 major United States and Canadian gas companies have organized and prepared plans for looking toward construction of a 48-inch gas pipeline from Prudhoe Bay through the Mackenzie basin across Canada to American market centers, primarily in the Midwest. This line could deliver 4 billion cubic feet of natural gas a day, or more than 1 trillion cubic feet a year—more than 5 percent of our present total interstate consumption.

The reserves in the North Slope of Alaska are the "anchor" for this project, but the potential goes far beyond. There is gas in the Arctic islands, in the Northwest Territories of Canada and elsewhere in the far north which will become available once the initiative is taken to move supplies to market.

I understand that this group of American and Canadian companies has already spent $25 million to date on feasibility and environmental studies and other preparations necessary for construction of the gas pipeline. According to experts, such a gas pipeline will be easier to construct, less costly, and will have far less environmental impact than an oil pipeline.

There are obstacles to overcome before a natural gas pipeline of this magnitude can be constructed. Agreements must be reached with Canada which, I am sure, will have to take into account the interest of Canadians in adequate energy supplies. Permits will have to be obtained from both the Canadian and United States Governments.

When completed, this new gas pipeline across Canada to the Midwest would bring to the United States nearly five times as much natural gas as the Great Lakes region will be short during the natural gas shortages projected for the winter of 1973–74.

In addition, the trans-Alaska oil pipeline will deliver to the lower 48 States nearly 50 percent more oil than we have been importing from the Middle East.

My conclusion, therefore, based on an examination of all factors, including projections of Midwest energy needs into the 1980's, is that two steps should be taken as quickly as possible. One is to construct the trans-Alaska oil pipeline; and the other is to construct a natural gas pipeline across Canada. Construction of both pipelines should proceed as expeditiously as possible.

Mr. MAGNUSON. Mr. President, I wish to join my colleagues in the Senate in congratulating the Senate Committee on Interior and Insular Affairs and particularly Senator HENRY JACKSON, chairman of that committee, and their House counterparts for their exemplary work in obtaining legislation on the Alaska pipeline which, I believe, strikes the best balance possible between the energy needs of the country and our environmental concerns. As we all know too well, this process has not been an easy one. While I personally do not support everything in the bill, I feel that, when viewed in total, this is the best bill possible on this controversial issue.

As the original proponent of two amendments which have been incorporated into the conferee adopted version of S. 1081, and as a Senator who represents a State which will receive some of the oil from the pipeline, I have particular interest in this bill. My concern has centered on the safety and environmental soundness of the marine leg of the pipeline—the tankers which must move the oil to ports on the west coast.

The Alaska tanker traffic is unprecedented, both in size and number of ships. Compared to other transocean oil routes, it is quite hazardous. This route is hazardous because there are frequent movements into and out of narrow passages and crowded harbors. Consequently, I offered amendments relating to the marine leg which have become section 401, vessel construction standards; and section 402, vessel traffic control, of S. 1081, to enhance the safety of this portion of the Alaska pipeline system.

Section 401 will have the effect of accelerating the applicability of tanker construction standards now being devised by the Coast Guard. These standards would cover only the coastwise trade. It was my belief that the sooner the standards were promulgated, the sooner vessel owners could comply and the greater the protection of our marine and coastal environment.

In connection with section 401, I am pleased to report that the 1973 Conference on Marine Pollution From Ships has just concluded. The conference has developed a new, comprehensive treaty aimed at eliminating pollution of the sea by oil and other noxious substances originating from vessels. The treaty includes provisions setting worldwide tanker construction standards. The Commerce Committee has scheduled a hearing on this new treaty and will hear testimony from Russell E. Train, chairman of the U.S. delegation attending the conference, and Adm. Chester Bender, the vice chairman. Preliminary reaction to the specifics of this new international agreement has been favorable—from the administration, from environmental groups, and from the shipping industry. Some say it is one of the best agreements yet devised on this subject.

The path is now clear to implement this treaty and to issue regulations pursuant to the Ports and Waterways Safety Act. The tanker construction industry has been experiencing considerable uncertainty in this transition phase from old to new construction standards. Section 401 will assist in removing this uncertainty.

Section 402 is a simpler provision. It would merely mandate the creation of a vessel traffic control system for the Valdez vicinity so that it would come on line at the same time the oil begins to flow through pipeline.

As chairman of the Senate Commerce Committee, I wish to comment on one other provision of S. 1081—section 204 (c), the provision on vessel liability. For several years, the question of the adequacy of compensation for oil pollution damages caused by vessels has been discussed. Section 204(c) should considerably enhance the availability of compensation to injured parties without disrupting existing Federal law, State law, or international treaties.

The Commerce Committee, when considering implementing legislation on the International Conventions on Civil Liability and the Compensation Fund (S. 841), fully intends to harmonize the provisions of S. 1081 and S. 841. Our staff assisted the conference committee in drafting section 204(c) so that the two bills could be made compatible and so that further steps to universalize the limits of liability could be taken.

Mr. BAYH. Mr. President, I remain committed, as I was when this legislation originally came before the Senate, to the earliest responsible use of Alaskan oil and natural gas. The recent worsening of our energy shortage has merely reaffirmed something that has long been obvious—America must seek to develop to the maximum extent possible all domestic energy resources to reduce our dependence on foreign energy sources and to lessen the energy shortfall which will be with us for some time.

But the present bill is fatally defective in two major respects. One is the proposed location of the pipeline, bringing vast quantities of oil to the section of the country that needs it least and, almost inevitably, making available millions of barrels for export to Japan. Not only that, the route itself is environmentally defective—so much so, in fact, that proponents of the bill had to attach an amendment exempting it from the provisions of the National Environmental Policy Act.

That, Mr. President, is the second fatal flaw in the bill now before us, and I shall return to it shortly. Let me first, however, stress again those points about the Alaskan land-and-sea route which led me to argue for the alternative, Canadian, route.

In the first place, the simple, unassailable economic facts of the situation demonstrate that new supplies of oil are needed much less along the west coast than in the East and Midwest. As the information we offered the Senate last

July conclusively proved, oil prices will be 50 to 100 percent higher in the Midwest and East than in the Far West if the Alaskan pipeline is built. That cost differential is so large and so unnecessary that all the official arguments in favor of the Alaskan route collapse in the face of it.

The only explanation that can possibly account for the extraordinary lobbying effort on the part of the big oil companies in favor of the present bill is that the oil companies themselves expect to profit massively by it. And the source of their profit can only come from large exports at premium prices. In other words, Mr. President, the Alaskan route is almost certain to result in a substantial diversion of this scarce resource to foreign markets. Stripped of all the self-serving rhetoric and phony arguments against the trans-Canada route, that is the nub of the matter. And that is why I cannot, in good conscience, cast my vote in favor of so improvident and inequitable a measure.

To be sure, I am a Midwestern Senator. But, I am a U.S. Senator first. I do not believe a vote on a matter of this importance should be cast on a purely regional basis. Alaskan oil should be available on a national basis—not a Midwest or a west coast basis. The facts are that the present conference report will make Alaskan oil available only to the west coast. The trans-Canadian pipeline approach which I have supported permits the Alaskan oil to be piped to Edmonton and Chicago, and from there the oil can be directed east or west as the supply and demand of our Nation dictates is in the national interest.

The environmental arguments against the Alaskan route are also weighty. The National Environmental Policy Act was enacted into law precisely in order to insure that our Nation would not have to pay the price of long-term catastrophes for the benefit of short-term gains. Setting aside the provisions of that act for the sake of speeding construction of the Alaskan pipeline by 1 year—only 1 year—represents the worst kind of shortsighted policymaking. What is more, it offers the clearest kind of evidence that the Alaskan route's proponents themselves recognize how defective from an environmental standpoint their project must be. For if it were not, they surely would not have pushed so hard—indeed, so desperately—to establish so ominous a precedent.

Good public policy always requires the need to balance worthy goals which are seemingly irreconcilable. The goals of adequate energy supply and a clear environment present such a challenge. In times of critical energy shortages, such as existing today, particular attention must be given to energy and fuel needs. But I have confidence that the energy crisis can be met without completely forsaking progress toward a healthy environment. In short, policy makers should insist that necessary energy requirements be met by utilizing the alternative which is least injurious to a healthy environment. But the present conference report does not follow this strategy of adequate fuel and energy supply with least damage to environment. Rather the suggested approach is one of no—absolutely no—attention to a healthy environment whatsoever. This approach is not only shortsighted, it also underestimates the capacity of American industry, science and technology to accept challenge.

The fact is, Mr. President, full compliance with the terms of the NEPA would mean that Alaskan oil would be available, at least in the Western United States, in 1978 instead of 1977. It would by no means solve this year's, or next year's, or the year after next's or even the year after that year's energy crisis. By what rationale, then, can we possibly justify establishing an antienvironmental precedent that will return to haunt us again and again?

Here, too, the only explanation must be that the Alaskan route could in all probability not survive the sort of impact-statement analysis that present law requires. Hence, the truly dangerous provision in this conference report sets aside a long and carefully considered act of Congress. Hence, too, my vote against this conference report.

Let me stress again, Mr. President, that the issue is not whether we shall or shall not have Alaskan oil in the contiguous 48 States. If it were that stark a choice, I should have had a far more difficult time determining my vote today. But in fact the issue is Alaskan oil brought here at an uneconomic price to most Americans, over an environmentally defective route, with the likelihood that much of it will be lost to domestic use through spillages and foreign sales—all this as against a trans-Canadian route that will bring us the same oil, in greater quantities and at lower prices, and without dealing a possibly ruinous blow to national environmental policy.

Mr. President, I cannot support this dangerously misguided legislation, and I can only urge my colleagues to reconsider it prayerfully and thoughtfully today and join me in opposing it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JACKSON. I ask for the yeas and nays on the conference report.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HASKELL). Without objection, it is so ordered.

The hour of 12 o'clock having arrived, the question is on agreeing to the conference report on S. 1081.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CLARK (when his name was called). On this vote I have a pair with the distinguished Senator from West Virginia (Mr. RANDOLPH). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Wisconsin (Mr. NELSON), the Senator from Rhode Island (Mr. PELL), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I further announce that the Senator from Nevada (Mr. BIBLE), the Senator from Kentucky (Mr. HUDDLESTON), and the Senator from Minnesota (Mr. HUMPHREY) are absent on official business.

I further announce that, if present and voting, the Senator from Nevada (Mr. BIBLE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from Rhode Island Island (Mr. PELL) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS) is absent by leave of the Senate on official business.

The Senator from Oklahoma (Mr. BELLMON), the Senator from Arizona (Mr. GOLDWATER), the Senator from Illinois (Mr. PERCY), and the Senator from Ohio (Mr. SAXBE) are necessarily absent.

If present and voting, the Senator from Oklahoma (Mr. BELLMON), the Senator from Nebraska (Mr. CURTIS), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Illinois (Mr. PERCY) would each vote "yea."

The result was announced—yeas 80, nays 5, as follows:

[No. 479 Leg.]

YEAS—80

Abourezk	Fulbright	Montoya
Aiken	Gravel	Moss
Allen	Griffin	Muskie
Baker	Gurney	Nunn
Bartlett	Hansen	Packwood
Beall	Hart	Pastore
Bennett	Hartke	Pearson
Bentsen	Haskell	Ribicoff
Brock	Hatfield	Roth
Burdick	Hathaway	Schweiker
Byrd, Harry F., Jr.	Helms	Scott, Hugh
Byrd, Robert C.	Hollings	Scott, William L.
Cannon	Hruska	Sparkman
Case	Inouye	Stafford
Chiles	Jackson	Stevens
Church	Javits	Stevenson
Cook	Johnston	Symington
Cotton	Kennedy	Taft
Cranston	Long	Talmadge
Dole	Magnuson	Thurmond
Domenici	Mansfield	Tower
Dominick	Mathias	Tunney
Eagleton	McClellan	Weicker
Eastland	McClure	Williams
Ervin	McGee	Young
Fannin	McGovern	
Fong	Metcalf	
	Mondale	

NAYS—5

Bayh	Brooke	Proxmire
Biden	Hughes	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Clark, against.

ANSWERED "PRESENT"—1

Buckley

NOT VOTING—13

Bellmon	Humphrey	Randolph
Bible	McIntyre	Saxbe
Curtis	Nelson	Stennis
Goldwater	Pell	
Huddleston	Percy	

So the conference report was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUCKLEY. Mr. President, once again I have had to vote "present" on the Alaskan pipeline issue because of my family's ownership of certain rights in a shallow drilling technique that may be utilized in connection with the construction of the pipeline. I feel, however, that on an issue of this significance, it is incumbent on each Member of the Senate to record his position.

Had I been free to vote, I would have voted, however reluctantly, in favor of the bill. I say reluctantly, because there are a number of features about the final decision on the Alaska route that I consider unfortunate, and because of provisions in the legislation that grant various governmental agencies a busybody right of intrusion into private business matters which are irrelevant to the question of the granting of a right-of-way over Federal lands.

My great regret is that there was not a more thorough, bona fide, and timely investigation of a trans-Canadian route. Had such an investigation been initiated, there would have been adequate opportunity to explore the relative environmental, economic, and security merits of the two alternatives, and we could have been assured of a far wiser decision. The time, however, has now passed when this can be done with any expectation of beginning deliveries of the energy resources of the North Slope to the lower 48 States within the time frame dictated by our urgent present needs.

I have studied the question of the Canadian alternative with very great care and have consulted with individuals in Canada and elsewhere who have extensive experience with the problems involved with the financing and construction of major pipelines. I am convinced that even if a go-ahead could be secured for a Canadian line within the next year, we still could not afford the inherent delays, especially as they would affect the ultimate deliveries of North Slope gas. What has been too little appreciated and largely ignored is the fact that the sheer size of this pipeline project is such that work on a gas pipeline from Prudhoe Bay across Canada could not commence until virtual completion of the oil pipeline. The reason for this is that the oil pipeline project will preempt too large a portion of the available pipeline equipment and work force, and will place too great a strain on capital markets to permit the simultaneous financing of a second huge line. Thus, the added time required to build a Canadian oil line will delay by that period the ultimate delivery of North Slope gas to the Midwest, where this source of energy is so vitally needed.

Under all the circumstances, and despite the undesirable accretions that have been tacked on the bill in the way of unnecessary governmental regulation, I feel there is no responsible alternative but to proceed with the building of the Alaskan pipeline. I am satisfied—thanks to the enormous efforts of concerned environmentalists—that every environmental precaution will, in fact, be taken in the construction and operation of the line. Thus, while some environmental risks undoubtedly continue to exist, they will be kept to a minimum and, under the circumstances, will have to be assumed.

Mr. PERCY. Mr. President, I regret that due to a commitment in Chicago, I was unable to be present for the vote on the Alaska pipeline conference report, S. 1081. I had expected the vote to be this afternoon and I had planned to be present.

I have been recorded as favoring enactment of S. 1081. I believe it is now imperative that construction on the Alaska pipeline begin as soon as possible, so that our Nation can begin to make use of the vast energy resources of the North Slope.

There have been delays in beginning the construction, and I believe the pipeline will be safer and less damaging to the environment as a result of the careful scrutiny it has been given.

We have had a full debate in both Houses of Congress on this bill. We have had close votes on environmental issues, and I was on the losing side of some of those votes.

But now I believe we must proceed with dispatch to get the pipeline built and get the oil flowing. The President has warned that we face a 10- to 17-percent shortage of petroleum this winter. While the pipeline will not help us through this winter or even the next three winters, we must have that oil to help insure that our Nation will not be faced with a perpetual shortage of energy. I am hopeful that the Alaska pipeline can soon be followed by a Canadian pipeline, which will bring oil directly from the North Slope to the Midwest and Northeast, where it is needed most. I am assured by my colleague, Senator STEVENS, that the North Slope resources are adequate to support both pipelines.

Mr. President, I strongly support the Senate's action today in approving the conference report on S. 1081, and I hope the President will sign the bill into law immediately.

PROGRAM

Mr. HUGH SCOTT. Mr. President, I rise to inquire of the distinguished majority leader what the program is for the remainder of the day, if any, and what the program is for the remainder of the week.

Mr. MANSFIELD. Mr. President, in response may I say that there will be no further votes today.

However, it is anticipated that tomorrow we will take up Calendar No. 467, H.R. 1284, an act to amend title 5, United States Code, to improve the administration of the leave system for Federal employees. I understand that an amendment is being prepared having to do with the rights of returned prisoners of war, which I understand is noncontroversial. So this bill, which was passed today, and on which the action was then vitiated, will be called up tomorrow.

As to the rail transportation system in the Midwest and Northeastern regions, Calendar No. 344, S. 2188, I am unable at this time to state when that measure will be brought up, because of differences between the House and the Senate bills.

It is the intention of the leadership to call up Calendar No. 388, S. 1868, a bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome, and so forth, at least on one track by next Monday.

It is hoped that the emergency energy bill which the Interior Committee will file tonight, and which is of such transcendent importance can be taken up tomorrow, because it might entail, I believe, up to 2 or 3 days' debate.

Then, during the course of the day tomorrow, we hope to consider and dispose of the State-Justice-Judiciary conference report and the HEW conference report both of which are being considered in the House today. There will be a yea-and-nay vote on at least one of these conference reports.

We would also hope to get the mandatory oil allocation conference report over from the House as well, and it will be considered in the Senate shortly after its receipt from the House.

As far as the military construction authorization is concerned, I am informed of difficulties beyond control of the Senate that might make it impossible to obtain final approval of this bill until after Thanksgiving Day. Under the rules, the House must act first and failure to act can hold up the bill which the Senate Appropriations Committee has had ready to report to the Senate as soon as the appropriation bill is received from the House. I hope the House will proceed on the Appropriations Act independently.

The District of Columbia home rule bill conference report has been delayed in the House, until Thursday, so I assume that it will not be taken up in the House until after Thanksgiving.

The Alaskan pipeline bill has passed both Houses and is on its way to the White House.

In connection with the conference report on the health maintenance bill the House has to act first.

I do not think it will be possible to get up the Ford nomination this week. I wish it were, but I understand the Committee on Rules and Administration will hold further hearings tomorrow. This was arranged some days ago, but if there is a chance the leadership will try to do otherwise.

Mr. HUGH SCOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUGH SCOTT. I hope we will find a way to do it this week, or if not, at the very beginning of next week, before we begin to lose attendance.

Mr. MANSFIELD. The Senator will have my full support in that regard. The sooner the better.

Then, the matter of the Saxbe pay bill will likely be reported from the Committee on Post Office and Civil Service, but there will be a move made, if that

is reported and called up, to have it referred to the Committee on the Judiciary. I think the Senate is on notice on the basis of statements made today by the distinguished assistant majority leader.

Mr. HUGH SCOTT. In that connection, I would like to say that by unanimous consent the Committee on the Judiciary this morning agreed it would request that the bill be referred to them for 1 day less than 1 week, and to be reported back to the Senate not later than next Tuesday night following such hearings as the distinguished assistant majority leader wishes to suggest, and that the bill be reported back without extraneous matter or nongermane amendments, the idea being that it not be loaded with extraneous matters but rather considered on its merits.

Mr. ROBERT C. BYRD. Mr. President, in that respect, I ask unanimous consent that the Committee on Post Office and Civil Service may have until midnight tonight to file its report on the bill.

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

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

Mr. SYMINGTON. I wish to say to the distinguished majority leader that there is no holdup on the military construction bill. We have agreed on a conference with the House. Under the rules we have to wait until the House passes on their conference. I understand there are parliamentary problems over there that they have to solve before that can be done.

Mr. MANSFIELD. I understand, and I understand there is good reason for it, but I wanted to indicate the schedule as best I can.

Then, we have the Legal Services Corporation report filed with the Senate, Calendar No. 471, S. 2686. When that will come up has not been determined at this time, because there are a number of holds on that bill.

But I hope it will be possible, in support of proposals made by the President of the United States last week, and because of the intensive amount of work performed by the Interior Committee in reporting this bill tonight, for the Senate to take up the emergency energy bill tomorrow. It is vital; it is mandatory; it is needed.

Mr. ROBERT C. BYRD. Mr. President, may I ask the distinguished Senator from Washington (Mr. JACKSON) whether he, as the manager of the bill, is prepared to proceed with the bill tomorow.

Mr. JACKSON. I am prepared to proceed tomorrow on the emergency petroleum bill. The report is in process of completion. It will be filed by midnight tonight. Copies will be available the first thing in the morning.

This is an emergency bill. The President has asked that we move with expedition. The committee is moving, I think, the fastest in its history. I would hope that tomorrow—at least by the end of the day, after the conference reports have been acted on—we can lay the bill before the Senate and come in very early on Thursday, so that we can complete action on the bill within a day.

Mr. MANSFIELD. Would the distinguished Senator from Washington, the chairman of the committee, assure us that he will consult with the ranking minority members of the committee with a view to removing any possible objection?

Mr. JACKSON. I have already consulted with the ranking minority member of the committee, the distinguished Senator from Arizona (Mr. FANNIN). He wants to move along. I would hope that we will confine amendments to the specific emergency. We have removed from the bill the sections dealing with the deregulation of natural gas and the regulation of intrastate gas. We cut both issues out of the proceedings. I do not want to take up deregulation or the regulation of intrastate gas in the emergency bill.

Mr. MANSFIELD. Mr. President, is it true that the distinguished Senator's colleague, the distinguished senior Senator from Washington (Mr. MAGNUSON), is at present holding hearings on these matters, which he hopefully will be able to report to the Senate some time late this week?

Mr. JACKSON. The Senator is correct. We have taken care of everything in the bill of an emergency nature except an amendment with respect to clean air, as to which the distinguished Senator from Maine (Mr. MUSKIE) held hearings yesterday. That will come up separately later, I believe, this week.

Therefore, I am most anxious to have the emergency bill passed, in light of the problems we have, the most serious being the need for gasoline rationing. Every day we delay in settling the matter, the greater the shortfall.

I gave to the Senate earlier today a statement on the critical shortage. I want again to repeat that this is particularly a problem on the east coast. We anticipate, according to the figures given out this morning, that there will be a national shortage of gasoline of 21 percent; of distillates—that is, the fuel oil or heating oil—of 13 percent; and of residual oil, 24 percent—that is, for electric utilities. For the east coast, because of a lack of transportation, all of these figures will be doubled. For the eastern United States, it will mean a shortage of 42 percent; of distillates, 26 percent; of residual oil, 48 percent; unless transportation facilities are available. This means using tankers and other modes of transportation to bring in the oil.

The situation is critical. Every day of delay on this legislation to set in motion authority to deal with gasoline rationing in particular, the greater the shortfall will be in the period ahead. It is that simple. That is why time is of the essence.

Mr. MANSFIELD. Will the Senator give to the Senate and the American people his approximation as to when he thinks it is quite likely that gasoline rationing may become effective?

Mr. JACKSON. I would hope that the administration will start printing the tickets right now. It should have been begun yesterday. The machinery to give local control is outlined in the emergency bill. The pattern is being set up. I would hope that gasoline rationing could be put into effect prior to January 1.

Mr. MANSFIELD. Mr. President, will the Senator yield further ?

Mr. JACKSON. I yield.

Mr. MANSFIELD. When is the last tanker from the Middle East due in this country?

Mr. JACKSON. Less than 2 weeks.

Mr. MANSFIELD. Less than 2 weeks, and that is the end of oil from the Middle East?

Mr. JACKSON. That is correct.

Mr. MANSFIELD. I would like to ask the Senator a question. This is from the Great Falls, Mont., Tribune, and I received a great deal of mail as a result of this small article from the Associated Press, which states:

> A government report released Wednesday—

That is last Wednesday—

> indicates that fuel oil exports in 1973 will drastically surpass 1972 despite a serious shortage in this country.

How does the Senator account for a 248-percent increase this year in our shortage over 1972? Has the Senator seen the story?

Mr. JACKSON. Yes, I have seen the story. We are asking for a complete report on this particular story.

As my colleagues may undoubtedly know, we do have reciprocal arrangements. We do export into Canada in connection with certain of the requirements on the Eastern part of the United States. They import into the United States. There are export situations that serve to our overall benefits.

I think the real question that must be answered is, "Is there a net inflow as a result of exports by the United States to other countries and into the United States, in the end?" We are dealing with the logistics of the oil industry, which is extremely complicated, and the major problem on the east coast stems from a lack of transportation. The oil that they get and use I think runs as high as 70 or 80 percent imported. This is a major problem.

We will have a response, may I say, in detail for the Senate when this matter comes up tomorrow.

Mr. MANSFIELD. Mr. President, I want to thank the distinguished chairman of the committee, who has been most active in bringing forth this emergency legislation, and I point out that the Senator from Washington (Mr. JACKSON) has been advocating what he has just been talking about for at least the last year and a half. I think he has performed a great service in a time of need and emergency, and I am delighted that, in response to the question raised by the distinguished Republican leader, he has been able to get together with the ranking Republican member of the Interior and Insular Affairs Committee, the distinguished Senator from Arizona (Mr. FANNIN). I am hopeful that it will be possible for all of us to work together to get this legislation to the floor and dispose of it as quickly as possible.

Mr. BROOKE. Mr. President, will the Senator yield for a brief question?

Mr. JACKSON. Yes, if I have the time.

Mr. MANSFIELD. I yield.

Mr. BROOKE. This colloquy has been most informative and helpful.

Will the Senator give some indication as to what the prospects will be if the negotiations between the Arab countries and the State of Israel are successful? Can we have any hope, say, in the months ahead?

Mr. JACKSON. May I respond to my good friend from Massachusetts in this way? Even if all of the oil had moved—if we had had a normal flow of oil—the prewar September projections had called for a shortfall, a shortage, of up to 300,000 barrels daily of heating and fuel oil for the country. Now, that was based on a cold winter. Of course, who knows what the winter is going to be like? But even in a normal winter, we would have had a shortfall of at least 100,000 barrels per day and it would strike particularly hard at New England, because it is in that area of the country where there is a substantial shortage in connection with the heating oil problem.

I do not believe that we can ever again—and I hope that this emergency will be a blessing in disguise—put ourselves, Western Europe, and Japan, in a situation in which the Persian Gulf countries can hold the jugular vein of the Western World in one hand and turn off our vital oil imports when they want to. I do not think the American people would want that sort of thing. I think it would be unwise to assume that something of a magical nature is going to happen in the Middle East that will resolve the terrible problem that we face of trying to ration our shortages.

Mr. BROOKE. I quite agree with the Senator that that certainly should not be our posture, but I think many American people who are reading the papers daily now are getting great hope out of the magnificient work of Secretary of State Kissinger and are hopeful that the Arab-Israeli negotiations will be successful, and are expecting——

Mr. JACKSON. May I give the Senator the real reason why I think it would be unwise?

Mr. BROOKE. Yes, certainly.

Mr. JACKSON. I saw a projection of the Persian Gulf countries' surpluses of dollars over and above what they can spend by 1975. They will have $100 billion over and above what they can spend. As one of them told me when I was in Saudi Arabia a year ago this month:

> Senator, can you think of a better investment than just keeping it in the ground?

The point I want to make, Mr. President, is that I do not think, even with a settlement, there is going to be any great incentive to them to export at an accelerated rate as long as they adhere to that philosophy. That is my premise, and I think we would be foolish to rely on an assumption that if a settlement occurs, they will suddenly allow an increase in their output.

Without an increase, we are certain to have problems, because we had looked to this area to provide for our growth requirements.

Our job is to get conservation measures into effect at once, and then to handle, on an emergency basis, coal conversion, stepped up coal and oil production, and, if necessary, to analyze the long-term strategic energy requirements.

Mr. BROOKE. I thank the Senator, because I fear many people are having false hopes as a result of the success they expect to come from negotiations between the Arabs and the Israelis. We certainly in New England, as the Senator so well pointed out, depend a lot upon oil which is imported into the country. Thank God we now have the Allocation Act that has been passed, and we will get some relief from that.

May I just ask one further question along the lines of the conservation measures? Is there any expectation that the Commerce Committee—and this question is addressed to the majority leader—will report to the Senate a bill on daylight saving time this week?

Mr. MANSFIELD. Yes; I am informed that that is so. I will yield to the Senator from South Carolina for a reply on that.

Mr. HOLLINGS. We are meeting at 2 o'clock this afternoon and hope to report the bill out of committee today.

Mr. MANSFIELD. Can the Senator indicate when the gas deregulation bill and the like should be reported?

Mr. HOLLINGS. That should be reported out of committee no later than Thursday. It could be reported out tomorrow.

If the distinguished leader would yield at that particular point, I would make the very important point that the exchange between the Senator from Washington and the majority leader brought up the need for an energy policy in this Government. We passed a bill on that subject last April with only 12 dissenting votes. Since then we have had Governor Love appointed as energy czar, but he has only 10 or 12 men on board to try to develop a policy. What we are in essence doing, as we stand here on the floor, is that the Senator from Washington pulls out a yellow sheet and he has a few statistics, and he says these are the facts, and the logistics problems are difficult. The statistical information is scattered.

I have withheld placing that bill on the emergency measure, but whenever a conservation bill comes up, we have agreed within the Commerce Committee to attach it on that particular measure, because we last week—and this is my point—listened with great interest to our distinguished President. He talked of a measure last year and once in April this year, but the distinguished President missed the point of changes in policy. Only a year ago today, we almost had the appointment of the Assistant Secretary of the Interior, Kenneth Lay, who was to be the energy czar. This was after the election. Kenneth Lay was going to be the energy czar.

Then in preparing the method, Under Secretary of State Dr. James Akron was appointed in December as the energy czar.

Thereupon, in January in return for a message to the Congress, the President changed again and said that we must have a super Cabinet post, and Secretary Butz, the Secretary in charge of the Department, would be the energy czar.

That was three times in 3 months.

Thereupon, the energy bill came to the floor of the Senate, and the administration changed one more time and said that what we would have would be a three-man committee and that they were thereby appointing Dr. Kissinger, Mr. Ehrlichman, and Secretary Shultz.

We started working with them, and then Mr. Bono, who was hired to submit an energy paper, was hired after he had submitted that paper.

Then we began working with the Assistant Secretary of the Treasury, Mr. Simon.

Then in June came the appointment of Governor Love. So we have had seven energy czars in the last year. We have yet to have one establish a policy. As was pointed out in the hearings, we had a sort of two-man committee.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate? There are too many conversations going on. The Senator from South Carolina is trying to address the Senate.

The PRESIDING OFFICER. The Senate will please come to order. Senators will please take their seats, and conversations will cease.

Mr. HOLLINGS. Mr. President, we then had Secretary Morton and Governor Love, but if we could have put that off we would have in that bill the appointment by the President of the same distinguished czar, Mr. Love, and have him correlate the information. There would then be a promulgation of national policy and we would have one place in which to find out what the policy is, rather than having the intermittent introduction of bills on the floor of the Senate.

Mr. GRAVEL. Mr. President, if the Senator would yield, is the committee going to release the regulation of oil bill?

Mr. HOLLINGS. They could bring before the Senate the deregulation bill. However, I do not believe that would be this week. The other bill is still in the committee.

Mr. FULBRIGHT. Mr. President, if the Senator will yield, I only wish to ask a question of the Senator from Washington. I thought he left the impression, in response to a question from the Senator from Massachusetts, that it was not really very important whether we get a settlement of the war in the Mideast and a resumption of the production of oil by the Arab countries. I think it might be true that the United States, with our resources and with conservation methods, might be able to cope better with that situation than other countries. However, does the Senator from Washington not think that Japan and the countries of Western Europe are much more dependent upon the Persian Gulf oil than we are? Unless we succeed in having the war in the Mideast settled, the whole world is going to be disrupted and we cannot escape the consequences of the failure of the Arab countries to produce, even though Western Europe and Japan would be much worse off than we would be. The Senator left the impression that it was not really important whether we got a settlement and the resumption of the production of oil.

Mr. JACKSON. Mr. President, that was not my intention. I was trying to be responsive to the question of the Senator from Massachusetts who had the impression, I thought, that if we had a settlement of the Israeli-Arab dispute, the oil would start to flow to the United States almost at once and that would make a great difference in what we had been discussing on the floor with reference to the oil shortage in the Northeast. That is not true. However, a settlement is important, not only to the United States, but also to the whole world. The United States can survive even with a cutoff in the Mideast. However, Europe gets 80 percent of its supply from the Mideast. They would be in serious trouble. Japan gets 90 percent of its supply from the Mideast, and they would be in even more trouble.

I did want to emphasize that there is a new school of thought in the Mideast about not stepping up the production of their petroleum output. They are looking down the road to the point where, they say, just by selling everything they can produce over there, they will suddenly be piled mountains high with dollars and currency which they could not invest. They would rather have a lower output for a longer period than had previously been projected by our experts.

I think this is a significant development. And we would be deluding ourselves if we were to presume that we will get an increase in oil from the Persian Gulf over what had previously been projected. In other words, we should not think that Saudi Arabia will be doubling their output by 1978. I do not think that this will happen, even with the best settlement that could possibly be worked out.

Mr. FULBRIGHT. I just wanted to make the point, and I think the Senator has answered that he agreed that it is extremely important that a settlement—a real settlement and not just a cease-fire—be brought about and that we cannot escape the effect of the reduction in the flow of Arab oil. We will be seriously affected by it, even though it will be worse for Japan and the countries of Western Europe.

Furthermore, I had the impression that the Senator meant that it was not very important as to whether a real settlement of the Mideastern situation is brought about. I think it is very important. We should encourage the Secretary of State to do everything he possibly can to bring about a negotiated settlement.

Mr. McCLURE. Mr. President, if the Senator will yield, I want to underscore what the Senator has had to say. I think the facts would indicate that our shortfall, which may be 20 percent nationwide now, would be reduced to something in the neighborhood of 5 percent. Our ability to take emergency conservation measures to meet that shortfall could be very greatly enhanced if our shortfall were only 5 percent, as it would be after the resumption of shipments from the Arab countries to our country. However, there would certainly be a time lag. We cannot assume that the emergency would be over immediately after the cessation of hostilities in the Mideast.

I commend the Senator from Arkansas for bringing out the fact that it is extremely important to this country and to our allies, Japan and the countries of Western Europe, that the conflict be brought to a successful cessation.

Mr. FULBRIGHT. Mr. President, I would also like to point out that Canada has been receiving a very large amount of oil from the Mideast. In turn, the Canadians are the largest single exporters of oil to our country. We get more oil from Canada than from any other country; more than 1.5 million barrels a day. If oil is unavailable from Canada, we will be in serious trouble.

I thought the impression was given that whatever the Arab countries do would not seriously affect us.

I think it is very important, and we are the key country. The United States and the Soviet Union have to agree, along with the Arabs and Israelis, on the settlement—a negotiated settlement based on the general principles of the United Nations Security Council resolution we have accepted as a basic guideline.

So I hope Congress will not undercut the Secretary of State's efforts to achieve a détente. I hope that we will support those efforts and not leave the country under a false impression that a settlement is not extremely important to us.

Mr. McCLURE. Will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. McCLURE. I think we have to couple that with the argument that without resumption of the flow of Arab oil to the United States and to our allies, emergency conservation measures alone cannot cover the shortfall. We will have severe shortages.

Mr. FULBRIGHT. That is right.

Mr. McCLURE. And the statistics which the Senator from Washington (Mr. JACKSON) read to us just a few minutes ago are certainly evidence of the fact that we cannot easily cope with a 40-percent shortage in New England, for instance, which will be the result if we do not get some kind of an accommodation that will result in the continuation of supplies from the Middle East. I think it is a matter of extreme urgency to us.

I thank the Senator for permitting me to comment.

Mr. FULBRIGHT. I agree with the Senator. I think it is extremely urgent.

ORDER FOR RECOGNITION OF SENATOR MANSFIELD TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after I am recognized tomorrow, the distinguished majority leader be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER (Mr. NUNN). Without objection, it is so ordered.

ADDITIONAL APPROPRIATIONS FOR WORLD BANK

Mr. HARRY F. BYRD, JR. Mr. President, the President of the United States has asked Congress to approve an appropriation of $1.5 billion in additional funds for the International Development Association. This is a subsidiary of the World Bank. This request came to Congress last week.

I must be frank to say that I cannot support this proposal. It is an additional appropriation to the soft loan window of the World Bank.

In order to obtain the funds to give to the World Bank, the U.S. Government must go out on today's market and pay 8 percent interest. Then it plans to turn that money over to the World Bank at the soft loan window, which will then loan this money to other countries at three-fourths of one percent interest, over a 40-year period.

Mr. President, I submit that somewhere down the line this country has got to stop giving away—this Congress has got to stop giving away—funds taken out of the pockets of the hard working wage earners of this Nation.

What has Congress done already this year in regard to international financial institutions?

In the present budget is $2,250,000,000 to go to international financial institutions to make up for the devaluation of the American dollar.

How does that work?

The American taxpayer, being the generous person that he or she is, has contributed funds to international financial organizations. Then we devaluated the dollar, twice. As a result of those devaluations, the American dollar is worth less. So these financial institutions come back to Congress and say, "Well now, because the dollars you gave us are worth less, we want you to increase your contribution to make up for that difference"—which Congress has done. It did that to the tune of $2,250,000,000.

Now the President comes in with another proposal to give an additional $1.5 billion to the soft loan window of the World Bank.

As I have already said, I submit that, somewhere down the line, we must call a halt.

Mr. SYMINGTON. Mr. President, will the Senator from Virginia yield?

Mr. HARRY F. BYRD, JR. I am glad to yield to the able Senator from Missouri.

Mr. SYMINGTON. I am very much impressed with what the able senior Senator from Virginia is saying. As he knows, for some years the soft loan window has been a matter of grave apprehension with me.

May I ask the Senator, how was this request for the one billion and a half made?

Mr. HARRY F. BYRD, JR. It was made in a statement from the President to Congress.

Mr. SYMINGTON. What committee will it come before? Will it be a supplemental or a continuing resolution?

Mr. HARRY F. BYRD, JR. So far as I can determine, it would of course come before the Appropriations Committee. Whether it would come before the Committee on Foreign Relations for authorization, that I am not certain of.

Mr. SYMINGTON. That was the thrust of my question. The able Senator has stated what I was worried about. If it comes in as an additional appropriation,

that simply means it is a matter of money and not of legislative history as to whether it is justified on the basis of an analysis of our relationships with other countries.

That is the reason I asked the question and I thank the able Senator for bringing this up. I am now going downstairs to ask the Committee on Foreign Relations whether anything has been said on it to that committee.

Mr. HARRY F. BYRD, JR. I thank the Senator from Missouri very much. I might say it was the distinguished senior Senator from Missouri (Mr. SYMINGTON) who first brought to the attention of the Senate this matter of the soft loan window of the World Bank. It was because of his comments on the floor of the Senate that the Senator from Virginia became interested in this subject. I might also say that I have been following the leadership of the distinguished Senator from Missouri on this very vital matter.

Mr. SYMINGTON. I hope that the American people realize the care and diligence the able Senator from Virginia is using in trying to prevent this incredible outflow of dollars to foreign countries which has had so much to do with the deterioration of our own economy.

Mr. HARRY F. BYRD, JR. I appreciate the Senator's comments. He is certainly right about the outflow of dollars to foreign countries.

I hold in my hand the new requests for authorizations and/or appropriations for foreign aid and assistance contained in the fiscal 1974 budget document, the budget that Congress is now considering. It shows that new requests for foreign aid and assistance total $18 billion.

I repeat, $18 billion.

Included in that $18 billion is approximately $8 billion for the Export-Import Bank. That is in a little different category from the other $10 billion. But even if we leave out the amount for the Export-Import Bank, it still means that in the current budget there is more than $10 billion for foreign aid assistance.

Mr. SYMINGTON. The difference is really one of nomenclature instead of actuality, because I can remember when the question of the soft loan windows came up and, as the able Senator has pointed out, there is no repayment of the principal for 10 years, and in many cases, if not most, no interest—just a carrying charge. It really is a gift. Yet, because it is put as a loan, the expenses are far greater than if it was a gift because we have to follow it up like a loan. As one of those involved in it said, "They made the AID agency the greatest bank in the world. The only trouble is, no one in the agency knows anything about banking."

So again I congratulate the able Senator from Virginia on his remarks.

Mr. HARRY F. BYRD, JR. I appreciate the Senator's bringing out those points.

I might say in that connection that the subcommittee of which I am chairman, the Subcommittee on International Finance and Resources, established last week that 108 different countries owe money to the United States.

I repeat, 108 different countries—for a total of $58 billion. Thus, we have been very generous. Besides that amount, we have given away to foreign countries—not loaned, $58 billion outstanding on loans—more than $130 billion since the end of World War II.

Now, Mr. President, if Congress were to approve this $1.5 billion additional for the International Development Association, the government does not have the money so that it must go out into the open market and borrow it. As I mentioned earlier in my comments, the Government today is paying 8 percent—actually, in today's newspaper it is listed as 8.3 percent—for the money.

In September, the Government of the United States paid over 9 percent to borrow funds to operate the Government. So I say it is certainly not reasonable or logical or right to dip further into the pockets of the wage earners of our Nation for money to turn over to these international banking institutions, which in turn lend this money at very low interest rates, with the principal to be paid over a 40-year period.

Incidentally, the principal is not repaid to the United States. That is what many persons overlook when they consider these international financial institutions.

That money never comes back to the United States. If it comes back at all, it comes back to the international financial institutions.

The only place the United States can obtain money, the only place Congress can obtain money, the only place the President of the United States can obtain money is out of the pockets of the people who work, out of the pockets of the wage earners, through taxes.

In light of all the funds we have already appropriated and spent for the benefit of foreign nations, I do not believe that we should go into another big program of $1.5 billion in additional appropriations to the World Bank. This is a tremendous amount of money.

In my judgment, our country is in a very desperate financial situation.

Frankly, my view is a minority view among my colleagues in Congress. I hope that the majority of my colleagues are correct, that we do not need to worry as much as I am worrying about the Government's financial situation.

But I am convinced that they are not correct, and I am convinced that I am correct in my assertion that we are facing a very severe situation in the huge deficits that the Government has been running over a long period of time.

I will give an example. Let us take the last five budgets. In 1970, the Federal funds deficit was $13.1 billion; in 1971, it was $30 billion; in 1972, it was $29.2 billion; in 1973, the year which ended last June, it was $24.9 billion; and the projected deficit for the current fiscal year, ending June 30, 1974, is $18.8 billion.

The accumulated deficit in that 5-year period totals $115 billion, and it represents 25 percent of the total national debt.

Stated another way, 25 percent of the total national debt has been incurred during the 5-year period ending next June.

The interest on the national debt in this year's budget is $27.5 billion. That is just the interest on the debt, the interest charge.

The figure of $27.5 billion is twice as much money as this Government will spend this year on its entire weapons systems acquisition program. The measure passed by the Senate and by the House of Representatives and agreed to in conference for weapons acquisitions in the procurement bill is, in round figures, $13 billion. The difference between the $21 billion in the procurement bill and the $13 billion—the additional $8 billion—is for research and development.

So I submit, Mr. President, that when we are running these smashing deficits—and they are smashing deficits—we would be very unwise to approve the President's request for an additional $1.5 billion for the World Bank. There must be an end to this generosity somewhere, and I think now is the time to call a halt.

At this point, Mr. President, I ask unanimous consent to have printed in the RECORD a table giving in detail the new requests for authorization and/or appropriation for foreign aid and assistance contained in the fiscal year 1974 budget document. This table was prepared by the Subcommittee on Appropriations of the Committee on Foreign Operations of the House of Representatives, headed by Representative OTTO E. PASSMAN, of Louisiana.

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

New requests for authorization and/or appropriation for Foreign Aid and Assistance contained in the fiscal year 1974 budget document

1. Foreign Assistance Act (includes military assistance)	$2,428,850,000
2. Overseas Private Investment Corporation	72,500,000
3. Foreign Military Credit Sales	525,000,000
4. Inter-American Development Bank	693,380,000
5. International Development Association	320,000,000
6. Asian Development Bank	100,000,000
7. Asian Development Bank (proposed)	108,571,000
8. Asian Development Bank (maintenance of value)	24,000,000
9. International Development Association (maintenance of value)	161,000,000
10. Inter-American Development Bank (maintenance of value)	510,000,000
11. Internat'l Bank of Reconst. & Dev't. (maintenance of value)	774,000,000
12. International Monetary Fund (maintenance of value)	756,000,000
13. Maintenance of Value Adjustment	25,000,000
14. Receipts and Recoveries from Previous Programs	394,464,000
15. Military Assistance (in Defense budget)	1,930,800,000
16. International Military Headquarters	85,800,000
17. MAAG's, Missions and Milgroups	168,100,000
18. Permanent Military construction-Foreign Nations	190,700,000
19. Export-Import Bank, Long-term Credits	3,850,000,000

20. Export-Import Bank, Regular Operations	$2,200,000,000
21. Export-Import Bank, Short-term Operations	1,600,000,000
22. Peace Corps	77,001,000
23. Migrants and Refugees	8,800,000
24. Public Law 480 (Agricultural Commodities)	653,638,000
25. Contribution to International Organizations	199,787,000
26. Education (Foreign and Other Students)	59,800,000
27. Trust Territories of the Pacific	$56,000,000
28. Latin America Highway (Darien Gap)	30,000,000
Grand total	18,003,191,000

NOTE.—Total appropriation requests for maintenance of value amount to $2,250,000,000.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent to have printed in the RECORD three tables I have had prepared, showing the deficits in Federal funds and interest on the national debt, and various other financial information dealing with the U.S. Government, some of it going back for a 20-year period.

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

DEFICITS IN FEDERAL FUNDS AND INTEREST ON THE NATIONAL DEBT, 1955-74 INCLUSIVE

[In billions of dollars]

	Receipts	Outlays	Surplus (+) or deficit (−)	Debt interest
1955	$58.1	$62.3	−$4.2	$6.4
1956	65.4	63.8	+1.6	6.8
1957	68.8	67.1	+1.7	7.3
1958	66.6	69.7	−3.1	7.8
1959	65.8	77.0	−11.2	7.8
1960	75.7	74.9	+.8	9.5
1961	75.2	79.3	−4.1	9.3
1962	79.7	86.6	−6.9	9.5
1963	83.6	90.1	−6.5	10.3
1964	87.2	95.8	−8.6	11.0
1965	90.9	94.8	−3.9	11.8
1966	$101.4	$106.5	−$5.1	$12.6
1967	111.8	126.8	−15.0	14.2
1968	114.7	143.1	−28.4	15.6
1969	143.3	148.8	−5.5	17.7
1970	143.2	156.3	−13.1	20.0
1971	133.7	163.7	−30.0	21.6
1972	148.8	178.0	−29.2	22.5
1973	161.3	186.2	−24.9	24.2
1974 [1]	181.0	199.8	−18.8	27.5
20-year total	2,056.2	2,270.6	−214.4	273.4

[1] Estimated figures.

Note: Prepared by Senator Harry F. Byrd, Jr., of Virginia.

Sources: Office of Management and Budget and Treasury Department.

[In billions of dollars]

	Fiscal year—						
	1968	1969	1970	1971	1972	1973	[1] 1974
Receipts:							
Individual income taxes	$69	$87	$90	$86	$95	$103	$116
Corporate income taxes	29	37	33	27	32	36	42
Total	98	124	123	113	126	139	158
Excise taxes (excluding highway)	10	11	10.3	10.5	9.1	9.9	9.9
Estate and gift	3	3.5	3.6	3.7	5.2	5.0	5.4
Customs	2	2.3	2.4	2.6	3.2	3.2	3.5
Miscellaneous	2.5	3.0	3.4	3.9	3.5	3.9	4.2
Total Federal fund receipts	116	143	143	134	149	161	181
Trust funds (social security, retirement, highway)	$38	$44	$51	$54	$60	$71	$85
Total	154	188	194	188	209	232	266
Expenditures:							
Federal funds	143	149	156	164	178	186	200
Trust funds	36	36	40	48	54	61	69
Total	179	185	196	212	232	247	269
Unified budget surplus (+) or deficit (−)	−25	+3.1	−2	−24	−23	−15	−3
Federal funds deficit	27	6	13	30	29	25	19

[1] Estimated figures.

Note: Prepared by Senator Harry F. Byrd, Jr., of Virginia.

U.S. GOLD HOLDINGS, TOTAL RESERVE ASSETS, AND LIQUID LIABILITIES TO FOREIGNERS

[Selected periods in billions of dollars]

	Gold holdings	Total assets	Liquid liabilities
End of World War II	20.1	20.1	6.9
Dec. 31, 1957	22.8	24.8	15.8
Dec. 31, 1970	10.7	14.5	47.0
Dec. 31, 1971	10.2	12.2	67.8
Dec. 31, 1972	10.5	13.2	82.9
Mar. 31, 1973	10.5	12.9	90.9

Note: Prepared by Senator Harry F. Byrd, Jr., of Virginia.

Source: U.S. Treasury Department.

PROHIBITION ON THE IMPORTATION OF RHODESIAN CHROME

Mr. HARRY F. BYRD, JR. Mr. President, the distinguished majority leader announced to the Senate today that probably next Monday, Calendar 388, S. 1868 will be called up for action by the Senate. This is a bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome to the United States. It was introduced by the distinguished Senator from Minnesota (Mr. HUMPHREY).

The legislation Senator HUMPHREY's proposal would repeal says this:

The President may not prohibit the importation of a strategic material from a non-Communist country if such material is imported from a Communist-dominated country.

Except for the fact that the United Nations does not like it, and Russia does not like it—what is the matter with the existing legislation, which was passed by the Congress, signed by the President, and upheld by the courts?

I believe that the proposal by Senator HUMPHREY needs very careful consideration. It needs careful consideration in a number of different areas.

First, I think there should be full discussion as to whether it is wise to repeal legislation which Congress enacted 2 years ago, legislation which had the support and the affirmative vote of representatives from 46 of the 50 States.

The proposal offered by the distinguished Senator from Minnesota (Mr. HUMPHREY) would repeal legislation which the Senator from Virginia sponsored 2 years ago. As I say, that legislation was enacted—when we take the votes of the Senate and the House of Representatives—by the affirmative votes of representatives from 46 of the 50 States. I think that is a significant fact that should be given careful consideration.

Second, the legislation proposed by the Senator from Minnesota (Mr. HUMPHREY) would amend the United Nations Participation Act. This brings up the question of what other amendments should be presented at this time to an act which was passed 28 years ago. The Senate, I should think, would want to consider in some detail the entire question of the United Nations Participation Act, and undoubtedly Senators will want to present amendments thereto.

Third, during consideration of the proposed legislation, the Senate, I should think, would want a full-scale debate on the United Nations itself. The membership of the United Nations has changed drastically since the Senate authorized participation in 1945.

At that time there were 51 member nations; now there are 135 member nations.

Fourth, I believe the Senate will wish to discuss the background of the United Nations action against Rhodesia. It will

be of interest to inquire as to how a small, land-locked African nation, which has attacked no one, was officially declared by the U.N. Security Council to be "a threat to the peace," when no such action was taken against North Vietnam during its long aggression in Southeast Asia, or against the Soviet Union and the Warsaw Pact nations at the time of the 1968 invasion of Czechoslovakia.

Fifth, I would hope that the managers of the bill presented by the Senator from Minnesota would be prepared to discuss in some detail the governments and potential contributions of the new members—namely, those admitted to membership after the original 51. The Senate and the Nation, I believe, would be interested in just what types of governments these new United Nations members have.

Sixth, I should think the Senate and the people of our Nation would have great interest in the financial aspects of the United Nations. Most certainly, we should know, and consideration of the proposed legislation would present a good opportunity to get a full accounting, just how much money the United States has contributed to the United Nations since it was organized in 1945. We need to know not just the regular assessments—the dollar amount and percentages, and so forth—but also the various voluntary contributions with dollar amounts, percentages, and so forth.

These are a few thoughts that come to my mind, and undoubtedly other Senators will have many other areas that should be explored during consideration of the proposed legislation.

It has been many years since there has been a full-scale discussion in the Congress as to the role of the United Nations and its many ramifications.

Now would be a good time to give full consideration to the various matters I have mentioned above.

I hope when this legislation is called up, possibly next week, that the Senate would enter into a full-scale discussion of the United Nations, the many problems concerning that world organization, and the financial contributions of the United States to it.

I end as I began:

The legislation Senator HUMPHREY's proposal would repeal says this:

The President may not prohibit the importation of a strategic material from a non-Communist country if such material is imported from a Communist-dominated country.

Except for the fact that the United Nations does not like it, and Russia does not like it—what is the matter with the existing legislation, which was passed by the Congress, signed by the President, and upheld by the courts?

ORDER FOR AGREEMENT TO COMMITTEE AMENDMENTS TO S. 2589 AT THE TIME OF ITS CONSIDERATION

Mr. JACKSON. Mr. President, in line with the desire of all of us to expedite action on the emergency energy bill, S. 2589, which has been reported by the Committee on Interior and Insular Affairs, I ask unanimous consent that when the Senate proceeds to the consideration of S. 2589, the committee amendments be considered as having been agreed to en bloc and that the bill as amended be treated as original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington? The Chair hears none, and it is so ordered.

QUORUM CALL

Mr. HARRY F. BYRD, JR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT UNTIL 10 A.M.

Mr. HARRY F. BYRD, JR. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and at 1:25 p.m., the Senate adjourned until Wednesday, November 14, 1973, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate November 13, 1973:

DEPARTMENT OF JUSTICE

Evan LeRoy Hultman, of Iowa, to be U.S. attorney for the northern district of Iowa for the term of 4 years. Reappointment.

IN THE NAVY

Rear Adm. Eli T. Reich, U.S. Navy, retired, for appointment to the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designed by the President under subsection (a) of section 8066, in grade, as follows:

To be lieutenant general

Maj. Gen. Royal N. Baker, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

HOUSE OF REPRESENTATIVES—*Tuesday, November 13, 1973*

The House met at 12 o'clock noon.

Rev. Edward M. Gladden, St. Andrew's Methodist Church, Salisbury, Md., offered the following prayer:

Our Father, inspire the Members of this body, and the people of this Republic, to fulfill their destiny as a nation that Thou hast blessed; here they have come citizens from every race. Here they have found refuge; here they built homes; and here they invested their lives. We thank Thee for those who were heroic in times of peril, and gave freely to the last full measure of devotion. Let us not waste their sacrifice. Teach us to bring durable peace out of war, order out of chaos, brotherhood out of conflict. So may our people learn to do justly, love mercy, and walk humbly with Thee.

We commend the Congress of our great Nation to Thy loving care and fatherly goodness. 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.

THE REVEREND EDWARD M. GLADDEN

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

Mr. BAUMAN. Mr. Speaker, the Reverend Mr. Edward M. Gladden comes to us today from the United Methodist Church of Salisbury on the Eastern Shore of Maryland. A distinguished member of his community, he was born in Chance, Somerset County, Md., which is the mother county of that great area of the Free State. He has pastored several churches on his native Eastern Shore and his pastorate now includes St. Andrew's in Salisbury and Melson's near Delmar, with more than a thousand souls.

After elementary and high school, he attended Wesley College in Dover, Del., and Duke Divinity School, Duke University, Durham, N.C. He has had pastorates at Galestown and Newark, Md., and on beautiful Smith Island, out in the Chesapeake Bay, one of the most picturesque communities in my district.

I know all the Members welcome Reverend Gladden here today and thank him for his inspirational prayer which has opened our session.

THANKSGIVING RECESS

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

Mr. ROUSH. Mr. Speaker, the program which has been announced for the next few weeks calls for a 10-day recess over Thanksgiving. I cannot in good conscience agree with such a schedule. The Congress has work to do. We still have three appropriations bills to pass in the House and numerous others to deal with by way of conference reports. The con-

firmation vote on Vice-President-designate GERALD R. FORD, is of the utmost importance. The appointment of a special prosecutor is legislation which by all means deserves immediate attention. The trade bill, the pension bill, the social security bill, and numerous other pieces of legislation demand attention. We are living in a period of crises. For the Congress to leave Washington at a time when the country and, indeed, the world is in a period of crisis is neither wise nor prudent. I believe our people will not look approvingly on a congressional 10-day recess. I suggest we stay on the job.

FROM DEPENDENCY TO INDEPENDENCY IN ENERGY

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

Mr. HANNA. Mr. Speaker, I have been very impressed by the responses that have come from the administration and the work that is being done by the Congress on the crisis of energy. I am disturbed, however, that we have very little other than a crisis response.

I should like to point out to the House that the most important thing that we can do is to look at the constructive things that are going to be required to meet the long-range thrust of what a movement from dependence to independence in energy will mean. I am very disturbed that there is not being addressed to this House plans and projects predicated on a reality of knowing where the money is going to come from, where the manpower is going to come from, and where the materials are going to come from to establish these new projects and these new sources that will support the economy of the United States.

Mr. Speaker, I sorely am afraid that we are looking at an increase in unemployment in the dimensions of 6 percent next year, and, if we do not act affirmatively and effectively, perhaps as much as 13-percent unemployment in the next 3 years.

ANNOUNCEMENT OF RECESS FROM NOVEMBER 15 TO NOVEMBER 26, 1973

(Mr. O'NEILL asked was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, I take this time to make an announcement. Upon the conclusion of the legislation which is now being managed by the gentleman from New York (Mr. ROONEY), I will offer a concurrent resolution that when the House adjourns on Thursday, November 15, 1973, it stand adjourned until 12 o'clock meridian, Monday, November 26, 1973.

APPOINTMENT AS MEMBER OF FEDERAL COUNCIL ON ARTS AND HUMANITIES

The SPEAKER. Pursuant to the provisions of section 9(b), Public Law 89-209, as amended by section 2(a)(8), Public Law 93-133, the Chair appoints as a member of the Federal Council on the Arts and the Humanities the gentlewoman from Connecticut (Mrs. GRASSO).

CONFERENCE REPORT ON H.R. 8916, DEPARTMENTS OF STATE, JUSTICE, COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1974

Mr. ROONEY of New York. Mr. Speaker, I call up the conference report on the bill (H.R. 8916) making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and related agencies, for the fiscal year ending June 30, 1974, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

CALL OF THE HOUSE

Mr. WYDLER. 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. 576]

Ashley	Esch	Nelsen
Blackburn	Gonzalez	O'Hara
Burke, Calif.	Gray	Powell, Ohio
Chappell	Gubser	Rees
Chisholm	Hébert	Reid
Clark	Heckler, Mass.	St Germain
Clausen, Don H.	Jarman	Skubitz
	Jones, Okla.	Steele
Conlan	Keating	Stephens
Conte	Kluczynski	Teague, Tex.
Davis, Wis.	Lent	Thompson, N.J.
Dellums	McKay	Tiernan
Diggs	Mathias, Calif.	Young, S.C.
Du Pont	Mizell	
Edwards, Calif.	Murphy, N.Y.	

The SPEAKER. On this rollcall 391 Members have recorded their presence by electronic device, a quorum.

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

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

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

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

There was no objection.

CONFERENCE REPORT ON H.R. 8916, DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS, 1974

The SPEAKER. The Clerk will read the statement.

The Clerk read the statement.

(The conference report and statement, see proceedings of the House of November 8, 1973.)

Mr. ROONEY of New York (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

The SPEAKER. The gentleman from New York (Mr. ROONEY) is recognized for 30 minutes, and the gentleman from Michigan (Mr. CEDERBERG) is recognized for 30 minutes.

The Chair now recognizes the gentleman from New York.

(Mr. ROONEY of New York asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. ROONEY of New York. Mr. Speaker, the pending bill (H.R. 8916) which makes appropriations for the Departments of State, Justice, and Commerce, the Judiciary and related agencies for the fiscal year ending June 30, 1974, and for other purposes, as agreed to by the House-Senate conferees, contains a total of $4,466,012,000 in new obligational authority plus $221,515,000 for liquidation of contract authorizations.

The bill before you is $313,066,000 above the bill as originally passed by the House. However, the other body considered estimates totaling $287,821,000 which were not considered by the House.

This bill is $56,889,000 below the total of the budget estimates, and it is $2,313,081,850 below the total new obligational authority for fiscal year 1973.

Mr. Speaker, I should like at this time to express my appreciation to all of the members of the subcommittee as well as the full committee for their cooperation and assistance in connection with this year's bill. I especially want to commend the distinguished and highly capable gentleman from West Virginia (Mr. SLACK) for so ably chairing the subcommittee during my illness.

Mr. Speaker, at this time I ask unanimous consent to insert in the RECORD a table giving by departments and agencies the details of the bill as agreed to by the conferees, and also that I may be permitted to revise and extend my remarks.

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

There was no objection.

(The material referred to follows:)

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES, 1974

Department or agency	New budget (obligational) authority, fiscal year 1973	Budget estimates of new (obligational) authority, fiscal year 1974	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conference action	Conference action compared with— New budget (obligational) authority, fiscal year 1973	Budget estimates of new (obligational) authority, fiscal year 1974	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Department of State	$587,185,650	$633,050,000	$595,571,000	$606,482,750	$618,559,000	+$31,373,350	−$14,491,000	+$22,988,000	+$12,076,250
Department of Justice	1,778,078,000	1,860,824,000	1,808,112,000	1,844,262,000	1,842,262,000	+64,184,000	−18,562,000	+34,150,000	−2,000,000
Department of Commerce	1,612,074,500	1,210,992,000	961,804,000	1,227,852,000	1,223,578,000	−388,496,500	+12,586,000	+261,774,000	−4,274,000
The Judiciary	193,642,600	205,529,000	202,364,000	204,514,000	203,442,000	+9,799,400	−2,087,000	+1,078,000	−1,072,000
American Battle Monuments Commission	3,711,000	3,800,000	3,800,000	3,800,000	3,800,000	+89,000			
Arms Control and Disarmament Agency	10,000,000	7,735,000	6,935,000	7,935,000	7,735,000	−2,265,000		+800,000	−200,000
Commission on American Shipbuilding	550,000	205,000	205,000	205,000	205,000	−345,000			
Commission on Civil Rights	4,948,000	5,814,000	5,566,000	5,814,000	5,700,000	+752,000	−114,000	+134,000	−114,000
Commission on the Organization of the Government for the Conduct of Foreign Policy	200,000	1,100,000		1,100,000	1,050,000	+850,000	−50,000	+1,050,000	−50,000
Department of the Treasury, Bureau of Accounts: Fishermen's Protective Fund	3,000,000					−3,000,000			
Equal Employment Opportunity Commission	32,000,000	46,934,000	40,000,000	46,934,000	43,000,000	+11,000,000	−3,934,000	+3,000,000	−3,934,000
Federal Maritime Commission	5,679,000	6,040,000	6,000,000	6,000,000	6,000,000	+321,000	−40,000		
Foreign Claims Settlement Commission	16,943,000	810,000	800,000	800,000	800,000	−16,143,000	−10,000		
International Radio Broadcasting	39,670,100	49,934,000	45,000,000	45,000,000	45,000,000	+5,329,900	−4,934,000		
Marine Mammal Commission		825,000	412,000	825,000	412,000	+412,000	−413,000		−413,000
National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance		332,000	332,000	332,000	332,000	+332,000			
National Commission on Fire Prevention and Control	450,000					−450,000			
National Tourism Resources Review Commission	400,000					−400,000			
Small Business Administration	2,273,530,000	248,273,000	248,123,000	248,123,000	248,123,000	−2,025,407,000	−150,000		
Special representative for trade negotiations	1,014,000	1,550,000	1,500,000	1,500,000	1,500,000	+486,000	−50,000		
Subversive Activities Control Board	350,000					−350,000			
Tariff Commission	6,000,000	7,300,000	7,000,000	7,300,000	7,100,000	+1,100,000	−200,000	+100,000	−200,000
United States Information Agency	209,668,000	231,854,000	219,422,000	200,699,500	207,414,000	−2,254,000	−24,440,000	−12,008,000	+6,714,500
Total, new budget (obligational) authority	6,779,093,850	4,522,901,000	4,152,946,000	4,459,478,250	4,466,012,000	−2,313,081,850	−56,889,000	+313,066,000	+6,533,750
Appropriations to liquidate contract authorizations	(232,000,000)	(221,515,000)	(221,515,000)	(221,515,000)	(221,515,000)	(−10,485,000)			

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

Mr. ROONEY of New York. I am happy to yield to my friend, the distinguished gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman from New York for yielding. I would like to say at the outset that I am more than pleased to see my friend, the gentleman from New York, back, I might say, at the old stand handling this bill on the House floor. I am happy to see the gentleman has recovered from his illness, and I hope that the gentleman from New York will be with us for a long, long time. While the gentleman from New York has been ably represented by the vice chairman, the gentleman from West Virginia (Mr. SLACK), it has not been quite the same in the absence of Mr. ROONEY. It is good to have him back.

Mr. Speaker, I should like to ask a question concerning a favorite topic when a State Department appropriation bill comes before the House, and that is the increase for representation allowances. Does that mean that booze and food, as indulged in by the State Department, has increased in price, or more of it is being consumed, or is this due to the devaluation of the dollar?

Mr. ROONEY of New York. I should like to say to my distinguished friend, the gentleman from Iowa (Mr. GROSS), that I thank him for his kind remarks. I have always had high regard for the gentleman personally. The gentleman has always been my friend, even though we have disagreed at times. I think that together we have accomplished some significant things over the many years in saving the taxpayers' money.

In response to the inquiry of the gentleman from Iowa, may I say that the amount approved by the conferees would not allow over a gill more than they presently have in alcoholic beverages. However, we must realize that the price of Coca-Cola and Pepsi-Cola has advanced to such an extent over a good part of the world that it became necessary to allow this slight increase in this item for representation allowances.

The House conferees did succeed in saving some money by helping to make up for this increase in other boards and commissions where the other body allowed funds to do quite a bit of entertaining.

Mr. GROSS. Is the gentleman from New York saying that Pepsi-Cola and Coca-Cola have become heavy items of consumption in the State Department these days?

Mr. ROONEY of New York. Oh, they always have been.

Mr. GROSS. Is that due to the influence of our new Secretary of State?

Mr. ROONEY of New York. No, the consumption started quite a few years back. They have had to drink Coca-Cola exclusively in many countries where alcoholic beverages are not permitted.

Mr. GROSS. Does the gentleman think that the Department of State will be content and satisfied with $1,200,000 for what my friend, the gentleman from New York, has been pleased to call tools of the trade?

Mr. ROONEY of New York. I should think they should be.

Mr. GROSS. I thank the gentleman for his response.

With respect to the payments for the International Center in Washington, D.C., an item of $2,200,000, was there such an item in the original House bill?

Mr. ROONEY of New York. It was not authorized at the time that this bill was before the committee.

Mr. GROSS. But it is now authorized; is that correct?

Mr. ROONEY of New York. It is presently authorized.

Mr. GROSS. I thank the gentleman.

Mr. CEDERBERG. Mr. Speaker, the

distinguished chairman of our subcommittee, the gentleman from New York (Mr. ROONEY), has adequately explained this conference report. I just want to say that I am sure I can speak for all of the members of the subcommittee and the Members of the House that we are delighted to see that the chairman is back and feeling well, and to note that when he was in conference with the Members of the other body, he was the same JOHN ROONEY we have always known.

Mr. ROONEY of New York. Will the distinguished gentleman from Michigan yield?

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

Mr. ROONEY of New York. I sincerely thank the gentleman. I will tell the gentleman one thing: I would feel much better if there were some heat in this Chamber. I think there is no sense in our coming here and spending all day in this temperature. I have been told not too many months ago that if I get another cold, I am in trouble.

Mr. CEDERBERG. May I say to the distinguished gentleman we will wind this up in a real hurry. The rumor is they turned on the air-conditioning so we could get the temperature down to 65. With all of the hot air in here, sometimes it is hard to keep it as cool as it has been.

Mr. Speaker, I should just like to say I have no further requests for time, and I yield back the balance of my time.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of the conference report on H.R. 8916, making appropriations for the Departments of State, Justice, and Commerce and related agencies for fiscal year 1974. I specifically single out the appropriation of $245 million for the programs under the Economic Development Administration.

As my colleagues know, the administration at the beginning of the year opposed the extension of EDA and requested only termination funds for this program. I am pleased that Congress saw fit to extend this valuable act despite these objections. The President reconsidered and signed the 1-year extension.

Since these events took place during the consideration of H.R. 8916, this body did not have the opportunity to consider any program appropriation request for EDA. Consequently, conferees could only review action taken by the other body which acted on the administration's recommendations for EDA funds. I am pleased that all moneys appropriated by the Senate have been retained in conference.

However, the $245 million is considerably less than previous years' appropriations. Additionally, vital programs under EDA have received no funding whatsoever. Title III district funds are lacking. Title II business loans have been eliminated. I am confident, though, that funds for districts, totaling $6.5 million will be included in a supplemental appropriation bill now in committee and expected later this month. This program deserves our extended support. Districts are a proven workable tool to deliver the Federal dollar to meet the local need.

Additionally, the supplemental could fill any dollar gap created by the early commitment of fiscal year 1974 EDA funds. I hope EDA considers itself in full operation for the entire fiscal year, and does not attempt to terminate operation at the beginning of the 1974 calendar year.

I urge passage of this conference report.

Mr. McCLORY. Mr. Speaker, it appears that the conference report in making appropriations for the Department of Justice—accompanying H.R. 8916—includes funds totaling $870 million for the Law Enforcement Assistance Administration—LEAA.

Mr. Speaker, it is my understanding that of this sum, the National Institute on Law Enforcement and Criminal Justice will receive approximately $40 million for fiscal year 1974. This sum should enable the National Institute to make a substantial start in fulfilling its important roles of research and training, as well as the numerous other related activities for which this important agency is responsible.

Mr. Speaker, I have been favorably impressed with the expanded authority granted to the National Institute, and I have been tremendously impressed by its Director, Jerry Kaplan. I hope that substantial progress in behalf of the vital assistance to the local and State law enforcement agencies and all others concerned with law enforcement and criminal justice will occur during the coming year.

Mr. RAILSBACK. Mr. Speaker, I am pleased to add my vote in favor of passage of the conference report on H.R. 8916, State, Justice, Commerce, and judiciary appropriations for fiscal year 1974.

Last June when the legislation was considered by the House, I offered an amendment to the judiciary appropriations section of H.R. 8916 which would have the effect of restoring 170 probation officers.

Members of Subcommittee No. 3, on which I serve as ranking Republican, have had an opportunity to investigate many prisons. We had the opportunity to hear the testimony of people who are expert in the field of corrections, including people with the administration and people outside of the administration.

Time after time, expert witness after expert witness made the point that something is wrong in this country when we have a recidivism rate that points out nearly three-fourths of our first-time youthful offenders who have gone to prison are going to be back in prison within a 5-year period. Our entire criminal justice system could and should be indicted on that particular statistic alone.

Of some encouragement is that various probation systems have provided the ex-offender with the support to become a meaningful part of society. However, unfortunately, the probation caseload is expanding so rapidly that a probation officer may have a caseload as high as 80 or more.

The witnesses the committee heard stated that a good caseload would be about 35 cases per caseworker. I would suggest to all of you that if we really want to do something about crime—if we really want to do something about the rates of recidivism—we cannot cut the funding of our probation officers.

My amendment, adopted by the full House membership earlier in the year, appropriated $83,372,000 for supporting personnel. This figure was increased to $83,522,000 by the Senate, and the joint House-Senate conference has set that figure at $83,450,000. I am convinced this is a fair figure, and I would hope there would be no delay in passage of the conference report today on H.R. 8916.

While there are quite obviously many other important sections of the legislation, I am particularly concerned that we provide funds to assist the young offender—for he has the potential to become either tomorrow's law-abiding citizen or tomorrow's costly liability caught in the revolving door of recidivism. I strongly believe that a dollar spent on rehabilitation of the young offender is the best investment we can make, and the legislation before us will go a long way in providing the needed resources.

I urge immediate passage of the conference report on H.R. 8916, the State, Justice, Commerce, and judiciary appropriations bill for fiscal year 1974.

Mr. ROONEY of New York. I thank the gentleman.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

Mr. DELLENBACK. 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 394, nays 11, not voting 28, as follows:

[Roll No. 577]

YEAS—394

Abdnor	Arends	Bennett
Abzug	Armstrong	Bergland
Adams	Ashbrook	Bevill
Addabbo	Ashley	Biaggi
Alexander	Aspin	Biester
Anderson, Calif.	Badillo	Bingham
Anderson, Ill.	Bafalis	Blatnik
Andrews, N.C.	Baker	Boggs
Andrews, N. Dak.	Barrett	Boland
Annunzio	Bauman	Bowen
	Beard	Brademas
	Bell	Brasco

Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Camp
Carey, N.Y.
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collier
Collins, Ill.
Conable
Corman
Cotter
Coughlin
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
de la Garza
Delaney
Dellenback
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Grasso
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gude
Gunter
Guyer
Haley
Hamilton
Hammer-schmidt
Hanley
Hanna
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kemp
Ketchum
King
Koch
Kyros
Landrum
Latta
Leggett
Lehman
Litton
Long, La.
Long, Md.
Lott
Lujan
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
McSpadden
Macdonald
Madden
Madigan
Mahon
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Milford
Miller
Mills, Ark.
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nichols
Nix
Obey
O'Brien
O'Neill
Owens
Parris
Passman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Preyer
Price, Ill.
Price, Tex.
Pritchard
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Rhodes
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ruppe
Ruth
Ryan
Sandman
Sarasin
Sarbanes
Satterfield
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Studds
Sullivan
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Waldie
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
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—11

Archer
Byron
Collins, Tex.
Conyers
Crane
Gross
Ichord
Landgrebe
Rarick
Shuster
Symms

NOT VOTING—28

Blackburn
Bolling
Burke, Calif.
Clausen, Don H.
Conlan
Conte
Davis, Wis.
Dellums
du Pont
Gray
Gubser
Keating
Kluczynski
Kuykendall
Lent
Mailliard
Mathias, Calif.
Mizell
Murphy, N.Y.
Nelsen
O'Hara
Patman
Powell, Ohio
Reid
Rousselot
St Germain
Stephens
Stuckey

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Murphy of New York with Mr. Gubser.

Mr. Kluczynski with Mr. Davis of Wisconsin.

Mr. O'Hara with Mr. Conte.

Mr. Reid with Mr. Conlan.

Mr. Gray with Mr. Blackburn.

Mrs. Burke of California with Mr. du Pont.

Mr. Stephens with Mr. Don H. Clausen.

Mr. St Germain with Mr. Dellums.

Mr. Stuckey with Mr. Kuykendall.

Mr. Patman with Mr. Lent.

Mr. Mailliard with Mr. Mizell.

Mr. Rousselot with Mr. Nelsen.

Mr. Powell of Ohio with Mr. Mathias of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24; page 23, insert the following:

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including hire of passenger motor vehicles; payment in advance for special tests and studies by contract; not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on his certificate; purchase of not to exceed 344 passenger motor vehicles (of which 210 are for replacement only) for police-type use without regard to the general purchase price limitation for the current fiscal year; payment of rewards; payment for publication of technical and informational material in professional and trade journals; purchase of chemicals, apparatus, and scientific equipment; payment for necessary accommodations in the District of Columbia for conferences and training activities; lease, maintenance, and operation of aircraft; employment of aliens by contract for services abroad; research related to enforcement and drug control; $107,230,000, of which not to exceed $4,500,000 for such research shall remain available until expended.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 25, line 5, insert the following: ": *Provided*, That notwithstanding the provisions of this section, not to exceed $7,821,000 from any funds in the Treasury of the United States to the credit of the District of Columbia shall be available for reimbursement to the United States pursuant to this section."

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: On page 26, line 12, insert the following:

ADMINISTRATION OF ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For necessary expenses of administering the economic development assistance programs, not otherwise provided for, $19,000,000, of which not to exceed $800,000 may be advanced to the Small Business Administration for proccessing of loan applications: *Provided*, That none of the funds appropriated in this Act or otherwise available for expenditure by the Department of Commerce shall be used to discontinue or phase out the economic development assistance programs (including Regional Action Planning Commissions) undertaken under the Public Works and Economic Development Act of 1965, as amended.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 30: On page 28, line 6, insert the following:

DEVELOPMENT FACILITIES

For grants and loans for development facilities as authorized by titles I, II, and IV of the Public Works and Economic Development Act of 1965, as amended (79 Stat. 552; 81 Stat. 266; 83 Stat. 219; 84 Stat. 375, 85 Stat. 166), $159,000,000 of which not more than $25,000,000 shall be for grants and loans to Indian tribes, as authorized by title I, section 101(a) and title II, section 201(a) of such Act: *Provided*, That upon the enactment of the Indian Tribal Government Grant Act the unobligated balances of the amounts appropriated for Indian tribes under title I, section 101(a) and title II, section 201(a) shall be transferred to carry out such purposes of the Indian Tribal Government Grant Act: *Provided further*, That none of the above amounts shall be subject to the restrictions of the last sentence of section 105 of the Public Works and Economic Development Act of 1965, as amended.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein with an amendment, as follows: in lieu of the matter inserted by said amendment, insert the following:

DEVELOPMENT FACILITIES

For grants and loans for development facilities as authorized by titles I, II, and IV of the Public Works and Economic Development Act of 1965, as amended (79 Stat. 552; 81 Stat. 266; 83 Stat. 219; 84 Stat. 375; 85 Stat. 166), $159,000,000 of which not more than $25,000,000 shall be for grants and loans to Indian tribes, as authorized by title 1, section 101(a) and title II, section 201(a) of such Act: Provided, That upon enactment of the Indian Tribal Government Grant Act the unobligated balances of the amounts appropriated for Indian tribes under title 1, section 101(a) and title 11, section 201(a) shall be transferred to carry out such purposes of the Indian Tribal Government Grant Act.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 37: On page 33, line 1, insert the following:

COASTAL ZONE MANAGEMENT

For carrying out the provisions of Public Law 92-583, approved October 27, 1972, $15,000,000, to remain available until expended. This appropriation shall be in addition to the appropriations otherwise made to the National Oceanic Atmospheric Administration by this Act and expenditures of such other appropriations shall not be reduced on account of expenditures of this appropriation: *Provided*, That States eligible for grants under the requirements of section 305 or 306 of Public Law 92-583 shall be entitled to receive a pro rata share of the amounts appropriated for uses according to the provisions of such sections of such Act. No finding of invalidity or absence of rule or regulation promulgated pursuant to such Act shall be construed to prevent obligation or expenditure of funds appropriated under this Act to such eligible States: *Provided further*, That this appropriation shall not be used by a recipient coastal State for areas outside its coastal zone which it has included in an application for Federal financial assistance under a national land use policy and planning assistance Act which may hereafter be enacted.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 37 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert the following: "$12,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: On page 40, line 16, insert the following: *Provided*, That not to exceed $75,000 of the unobligated balance of the appropriation under this head for the fiscal year 1973 is hereby continued available until June 30, 1974.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: On page 47, line 18, insert the following:

COMMISSION OF THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY

SALARIES AND EXPENSES

For necessary expenses of the Commission on the Organization of the Government for the Conduct of Foreign Policy, authorized by title VI of the Foreign Relations Authorization Act of 1972, $1,100,000 to remain available until June 30, 1975, and of which not to exceed $6,000 may be expended for official reception and representation expenses.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY

SALARIES AND EXPENSES

For necessary expenses of the Commission on the Organization of the Government for the Conduct of Foreign Policy, authorized by title VI of the Foreign Relations Authorization Act of 1972, $1,050,000 to remain available until June 30, 1975.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: On page 50, line 1, insert the following: "of which not to exceed $1,725, shall be available for expenses incurred in fiscal year 1973."

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to, and that the committee may insert tables and other such matter in explanation of the conference.

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON MILITARY CONSTRUCTION APPROPRIATIONS, 1974

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the military construction appropriation bill for the fiscal year ending June 30, 1974, and for other purposes.

(Mr. CEDERBERG reserved all points of order on the bill.)

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

There was no objection.

PROVIDING FOR ADJOURNMENT FROM THURSDAY, NOVEMBER 15 TO MONDAY, NOVEMBER 26, 1973

Mr. O'NEILL. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 378) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 378

Resolved by the House of Representatives (the Senate concurring), That when the

House adjourns on Thursday, November 15, 1973, it stand adjourned until 12 o'clock meridian, Monday, November 26, 1973.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the concurrent resolution.

The previous question was ordered.

The SPEAKER. The question is on the concurrent resolution.

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

Mr. FREY. 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 215, nays 190, not voting 28, as follows:

[Roll No. 578]

YEAS—215

Adams
Addabbo
Alexander
Anderson, Calif.
Annunzio
Arends
Aspin
Badillo
Baker
Barrett
Bergland
Biaggi
Bingham
Blatnik
Boggs
Boland
Bolling
Bowen
Brademas
Brasco
Bray
Breckinridge
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Byron
Carey, N.Y.
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clark
Clawson, Del
Clay
Cleveland
Collins, Ill.
Collins, Tex.
Conlan
Conyers
Corman
Crane
Cronin
Daniel, Dan
Daniels, Dominick V.
Danielson
Davis, Ga.
Delaney
Denholm
Dent
Derwinski
Dingell
Dorn
Downing
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Erlenborn
Evins, Tenn.
Fascell
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Fulton
Gaydos
Gettys
Gibbons
Gonzalez
Green, Oreg.
Green, Pa.
Griffiths
Grover
Haley
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Hawkins
Hays
Hébert
Helstoski
Henderson
Hicks
Holifield
Holt
Horton
Howard
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Jordan
Kastenmeier
Kazen
Koch
Landrum
Leggett
Lehman
Long, La.
Long, Md.
McCormack
McFall
McKay
Macdonald
Madden
Mahon
Martin, Nebr.
Martin, N.C.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Milford
Minish
Mink
Moakley
Mollohan
Montgomery
Moorhead, Pa.
Morgan
Moss
Myers
Natcher
Nedzi
Nelsen
Nichols
Obey
O'Neill
Owens
Passman
Patman
Patten
Pepper
Perkins
Pike
Podell
Preyer
Price, Ill.
Quillen
Rangel
Rarick
Rees
Reuss
Rhodes
Rinaldo
Roberts
Robinson, Va.
Rodino
Roe
Roncallo, N.Y.
Rooney, N.Y.
Rose
Rosenthal
Rostenkowski
Roybal
Sarbanes
Satterfield
Scherle
Seiberling
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Sullivan
Symms
Teague, Tex.
Thompson, N.J.
Thornton
Tiernan
Udall
Vanik
Vigorito
Waggonner
Ware
Whalen
White
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Wolff
Wright
Wydler
Young, Ga.
Young, S.C.
Zwach

NAYS—190

Abdnor
Abzug
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Archer
Armstrong
Ashbrook
Bafalis
Bauman
Beard
Bell
Bennett
Bevill
Biester
Breaux
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burgener
Burleson, Tex.
Burton
Butler
Camp
Clancy
Cochran
Cohen
Collier
Conable
Cotter
Coughlin
Culver
Daniel, Robert W., Jr.
Davis, S.C.
de la Garza
Dellenback
Dennis
Devine
Dickinson
Donohue
Drinan
Duncan
du Pont
Edwards, Ala.
Esch
Eshleman
Evans, Colo.
Findley
Fish
Flynt
Forsythe
Frelinghuysen
Frenzel
Frey
Froehlich
Fuqua
Giaimo
Gilman
Ginn
Goldwater
Goodling
Grasso
Gross
Gude
Gunter
Guyer
Hamilton
Hammer-schmidt
Hanrahan
Harsha
Harvey
Hastings
Hechler, W. Va.
Heckler, Mass.
Heinz
Hillis
Hinshaw
Hogan
Holtzman
Hosmer
Huber
Hudnut
Hungate
Hunt
Hutchinson
Johnson, Colo.
Jones, Okla.
Karth
Kemp
Ketchum
King
Kuykendall
Kyros
Landgrebe
Latta
Litton
Lott
Lujan
McClory
McCloskey
McCollister
McDade
McEwen
McKinney
McSpadden
Mailliard
Mallary
Mann
Maraziti
Mathis, Ga.
Michel
Miller
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Moorhead, Calif.
Mosher
Murphy, Ill.
Nix
O'Brien
Parris
Pettis
Peyser
Pickle
Poage
Price, Tex.
Pritchard
Quie
Railsback
Randall
Regula
Riegle
Robison, N.Y.
Rogers
Roncalio, Wyo.
Rooney, Pa.
Roush
Roy
Runnels
Ruppe
Ruth
Sandman
Sarasin
Schneebeli
Schroeder
Sebelius
Shoup
Shriver
Shuster
Skubitz
Spence
Steele
Steelman
Steiger, Wis.
Studds
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Teague, Calif.
Thomson, Wis.
Thone
Towell, Nev.
Treen
Ullman
Van Deerlin
Vander Jagt
Veysey
Waldie
Walsh
Wampler
Whitehurst
Wiggins
Winn
Wyatt
Wylie
Wyman
Yatron
Young, Alaska
Young, Fla.
Young, Ill.
Young, Tex.
Zablocki
Zion

NOT VOTING—28

Ashley
Blackburn
Burke, Calif.
Clausen, Don H.
Conte
Davis, Wis.
Dellums
Diggs
Gray
Gubser
Keating
Kluczynski
Lent
Madigan
Mathias, Calif.
Mills, Ark.
Mizell
Murphy, N.Y.
O'Hara
Powell, Ohio
Reid
Rousselot
Ryan
St Germain
Stark
Stephens
Stuckey
Yates

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 8877, DEPARTMENTS OF LABOR, HEW, AND RELATED AGENCIES APPROPRIATIONS, 1974

Mr. FLOOD. Mr. Speaker, I call up the conference report on the bill (H.R. 8877) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1974, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of November 8, 1973.)

The SPEAKER. The gentleman from Pennsylvania (Mr. FLOOD) is recognized for 30 minutes and the gentleman from Illinois (Mr. MICHEL) is recognized for 30 minutes. The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Speaker, since this involves only $33 billion we should have a little order in the House, at least a little better order than we have.

Mr. Speaker, here it is, here is the big one. The conference report which we are considering today appropriates—Members should wait until they hear this—$32,926,796,000 for the Departments of Labor, Health, Education, and Welfare, and related agencies for the fiscal year 1974. This is $1,376,843,000 more than the budget request, and, hear this, $712,575,000 less than the appropriation for fiscal year 1973.

Now, put that in your pipe and smoke it. It is $110,329,000 more than the bill which passed the House last June 26. June 26—that is important, we passed this June 26—but it is $469,583,000 less than the Senate bill, almost a half-billion dollars less than the Senate bill.

As these figures indicate, Mr. Speaker, the conference agreement is much, much closer in total to the House bill than to the Senate bill.

I suppose the most important thing about this appropriation bill in the eyes of many people is that it exceeds the President's budget request by over $1.3 billion. That is not a surprise to anyone who has been following the history of this bill. The House bill is $1.2 billion over the budget. The Senate bill was $1.8 billion over the budget request.

It is very interesting to note that no money amendments, not a dime, no money amendments to this bill were

adopted here in the House or in the Senate in floor debate. Now, that is something. That is the first time that has happened in a long, long time.

In other words, there is nothing in this bill, as far as dollars are concerned, which was not recommended by the Committees on Appropriations of the House or the Senate, after months of hearings. Members should keep that in the backs of their heads.

We are not dealing here with any of those large so-called package amendments of the type which have been attached to this bill in previous years. Remember those? Not this time; those package amendments were the results of very extensive lobby operations; not this time, not here.

Mr. Speaker, I have never been one who believed that every line in the President's budget should be considered as sacred and untouchable. The people who put budgets together downtown, believe it or not, are only human. They really are, they are only human. Sometimes even they make mistakes.

Nevertheless, we owe it to the Members here in the House who are concerned about fiscal responsibility—and really that means all of us—the Members rate an explanation from us as to why this bill appropriates $1.3 billion more than the President asked for. How come? What is the answer to that? That is what is in the back of the heads of all Members here.

Now, what do we do here? The simple fact is that the budget proposed to cut back, phase out, or eliminate many of the health and education programs which are funded in this bill.

Both Houses of Congress by overwhelming votes—overwhelming votes, you remember, we were all a part of it—refused to agree to the elimination or drastic cutbacks of these programs.

What were they? Some were your prize pigeons, the Hill-Burton hospital construction grants, remember that? That was right in our backyard. Being against that is like being against motherhood.

All right, we listened to you—appropriations, regional medical programs. Remember that? All the while you were knocking on my door day and night, "Do not reduce the regional medical programs. Oh, boy, do not touch that."

This one, community mental health centers; how much mail did you get on that? Stacks of it saying, "Do not cut that out."

Aid for schools to train health professionals. Ho, ho, do not touch that.

Support for medical research. Remember the AMA, all your medical programs back home, local county medical societies, universities, and colleges, "Do not cut out aid to medical research." You asked this. OK, we put it back in.

That is why there is the $1.3 billion over the budget, because we put these things back that were cut out, phased out. Now, the budget request for education programs was based on what they call special revenue sharing. That proposal would have cut Federal support for elementary and secondary education. Ever hear of that? Cut it by half a billion below the 1972 level, and almost $1 billion below the 1973 appropriation.

As we all know, the budget proposed to stop the funding for the community action agencies and abolish the Office of Economic Opportunity. This is what happened, we took your word, we looked at your votes, and that is why we acted the way we did. So, keep that in mind now—you asked for it—you asked for it.

Most of the increase over the budget request provided in this bill is required simply to maintain the funding for health. Are you against that? Education; are you against that? And the antipoverty programs. There is no big deal, just the current funding level.

The figures which illustrate this point, which is that the increases over the budget result primarily from the restoration of proposed cutbacks are given in great detail, keep this in mind for your people back home—we have this in complete detail in a table which was a terrific job by the staff.

Mr. Speaker, I ask unanimous consent to insert these figures in the RECORD at the conclusion of my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, in summary—but remember; I repeat, remember all that information is here for you, and it is some information; it is detailed, because you are going to need it.

In summary, the bill provides $4,881,756,000 for health programs, excluding medicare and medicaid, an increase of $453,744,000 over the budget. It has $6,210,986,000 for education programs, an increase of $945,745,000 over the budget. It has $346,300,000 for the Office of Economic Opportunity, an increase of $202,500,000 over the budget. These increases are partially offset by decreases below the budget request for certain other programs which we have outlined for you.

So much for the figures.

I suppose most of the discussion here today will center around amendment No. 32. Now, we have all heard this before. This goes on like Tennyson's brook. It relates to the distribution of funds under title IA of the Elementary and Secondary Education Act.

Now, on this amendment, the procedure is this: This amendment we have reported in technical disagreement, and there will be a separate vote on it.

The motions which I shall offer at the proper time will provide that no State shall receive less than 90 percent of the amounts due and made available for local educational agencies within the State in the fiscal year 1972 and no local educational agency shall receive less than 90 percent nor more than 115 percent of the amount received—remember, this is "local" now—of the amount received in fiscal year 1973.

Now, do not get mixed up between this "State" and "local" business. Now, I want the Members to listen. Some of the Members do not understand this. If we do not understand this, we will be running around this floor with all kinds of figures—just like the Folies Bergere—all over the place.

Some of the Members may be worried. They may say, "What about my State?" Now, I have heard this five times around here.

Do not forget that the important thing is the local community, the county, and the local school board. Do not get mixed up with all these figures that are flying around here.

Just so the Members will know this again, this provision I am speaking of is identical to the compromise which was worked out earlier with the Senate and which is incorporated in the continuing resolution presently in effect.

Now, after careful consideration—and by that, Mr. Speaker, I mean hours of careful consideration, because none of us did this off the top of our head—the conferees concluded that it is still the best alternative which has been suggested.

Now, we have data here showing the effect of the provision on the allocations to every State and to every county in the United States. We have it right here. We have it for every State, No. 1, and for every county, No. 2—the entire Nation.

Now, obviously there is no perfect solution to this problem. This is a can of worms, make no mistake about that. To put it in the colloquial, "There ain't no solution."

No matter what formula is worked out or by whom, there will be some school districts that are going to gain, and there will be some that are going to lose.

Las Vegas could never beat this operation; it just cannot be done.

Mr. Speaker, nobody regrets more than I—and I repeat, we do not like this—that it is necessary to include this so-called "hold harmless" provision in the appropriation bill. It should not be there; it does not belong here; it has no place here. This is an appropriation bill. It should be out in the yard someplace. But anyway, here it is. It should be incorporated in substantive legislation extending the Elementary and Secondary Education Act. That is where it belongs, and we all know it.

I am not criticizing anybody; I am just repeating for the purpose of emphasis, and all the Members know this as well as I do.

Unfortunately, such legislation has not been enacted. Almost 5 months have elapsed, as I mentioned earlier.

Now, allocations for the school districts in the first quarter have been made. We all know this; we must know it. Allocations for the first quarter back home have already been made, and the allocations for the second quarter back home are now a month overdue. We cannot fool around with this thing 5 minutes longer. This is murder.

This issue, Mr. Speaker, should be settled now, and I should mark that with an exclamation point. There must not be any further delay toward the enactment of this $33 billion Health, Education, and Welfare bill.

Just think of the uncertainty of the school districts back home and what this means as to the amount of money available to them. What is going to be available to them during the remainder of the school year? They do not know. I do not blame them for being uneasy.

Therefore, Mr. Speaker, I urge the adoption of this conference report right now. It is already late. I also urge adoption of certain motions which I shall subsequently offer in connection with the amendments in disagreement.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1974 (H.R. 8877) NEW BUDGET (OBLIGATIONAL AUTHORITY—CONFERENCE SUMMARY

TITLE I—DEPARTMENT OF LABOR

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
MANPOWER ADMINISTRATION									
Salaries and expenses	($63,277,500)	($67,830,000)	$41,032,000	(1)				−$41,032,000	
Trust fund transfer	*(26,989,000)*	*(26,090,000)*	*(26,090,000)*	(1)				*(−26,090,000)*	
Manpower revenue sharing	(1,549,416,000)	(1,340,000,000)	(1)	(1)	(1)				
Manpower training services				$40,000,000					−$40,000,000
Emergency employment assistance	1,250,000,000					−$1,250,000,000			
Federal unemployment benefits and allowances	475,000,000	365,000,000	365,000,000	365,000,000	$365,000,000	−110,000,000			
Advances to the extended unemployment compensation account	120,000,000					−120,000,000			
Federal grants to States for employment services	65,556,500	64,400,000	64,400,000	64,400,000	64,400,000	−1,156,500			
Limitation on grants to States for unemployment insurance and employment services	*(840,300,000)*	*(817,400,000)*	*(817,400,000)*	*(817,400,000)*	*(817,400,000)*	*(−22,900,000)*			
Total, Manpower Administration	1,910,556,500	429,400,000	470,432,000	469,400,000	429,400,000	−1,481,156,500		−41,032,000	−40,000,000
LABOR-MANAGEMENT SERVICES ADMINISTRATION									
Salaries and expenses	25,677,700	23,500,000	23,500,000	23,500,000	23,500,000	−2,177,700			
EMPLOYMENT STANDARDS ADMINISTRATION									
Salaries and expenses	50,749,500	52,050,000	52,410,000	52,410,000	52,410,000	+1,660,500	+$360,000		
Special benefits	108,292,000	141,250,000	141,250,000	141,250,000	141,250,000	+32,958,000			
Total, Employment Standards Administration	159,041,500	193,300,000	193,660,000	193,660,000	193,660,000	+34,618,500	+360,000		
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
Salaries and expenses	69,874,800	69,836,000	69,318,000	73,400,000	70,408,000	+533,200	+572,000	+1,090,000	−2,992,000
BUREAU OF LABOR STATISTICS									
Salaries and expenses	44,784,000	47,400,000	47,400,000	47,400,000	47,400,000	+2,616,000			
DEPARTMENTAL MANAGEMENT									
Salaries and expenses	24,196,000	23,225,000	23,225,000	23,322,000	23,322,000	−874,000	+97,000	+97,000	
Trust fund transfer	*(797,000)*	*(797,000)*	*(797,000)*	*(797,000)*	*(797,000)*				
Special foreign currency program	100,000	200,000				−100,000	−200,000		
Total, Departmental Management	24,296,000	23,425,000	23,225,000	23,322,000	23,322,000	−974,000	−103,000	+97,000	
Total, new budget (obligational) authority, Department of Labor	2,234,230,500	786,861,000	827,535,000	830,682,000	787,690,000	−1,446,540,500	+829,000	−39,845,000	−42,992,000

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION									
Mental health	$803,823,000	$1,281,731,000	$795,475,000	$845,475,000	$815,975,000	+$12,152,000	−$465,756,000	+$20,500,000	−$29,500,000
Saint Elizabeths Hospital (indefinite)	36,941,000	38,000,000	38,000,000	38,000,000	38,000,000	+1,059,000			
Health services planning and development	479,073,000	103,081,000	388,520,000	388,520,000	388,520,000	−90,553,000	+285,439,000		
Health services delivery	751,295,000	832,030,000	832,030,000	875,380,000	853,280,000	+101,985,000	+21,250,000	+21,250,000	−22,100,000
		(19,500,000)	(1)	(1)	(1)				
Trust fund transfer	*(4,719,000)*	*(5,419,000)*	*(5,419,000)*	*(5,419,000)*	*(5,419,000)*	*(+700,000)*			
Preventive health services	159,872,000	125,080,000	127,080,000	141,780,000	134,565,000	−25,307,000	+9,485,000	+7,485,000	−7,215,000
National health statistics	18,514,000	22,821,000	22,821,000	19,335,000	19,335,000	+821,000	−3,486,000	−3,486,000	
Retirement pay and medical benefits for commissioned officers (indefinite)	$29,163,000	$34,103,000	$34,103,000	$34,103,000	$34,103,000	+$4,940,000			
Buildings and facilities	19,457,000	12,000,000	9,500,000	9,500,000	9,500,000	−9,957,000	−$2,500,000		
Office of the Administrator	13,408,000	14,304,000	14,304,000	7,304,000	12,000,000	−1,408,000	−2,304,000	−$2,304,000	+$4,696,000
Total, Health Services and Mental Health Administration	2,311,546,000	2,463,150,000	2,261,833,000	2,359,397,000	2,305,278,000	−6,268,000	−157,872,000	+43,445,000	−54,119,000
Consisting of—									
Definite appropriations	2,245,442,000	2,391,047,000	2,189,730,000	2,287,294,000	2,233,175,000	−12,267,000	−157,872,000	+43,445,000	−54,119,000
Indefinite appropriations	66,104,000	72,103,000	72,103,000	72,103,000	72,103,000	+5,999,000			

Footnotes at end of table.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1974 (H.R. 8877) NEW BUDGET (OBLIGATIONAL) AUTHORITY—CONFERENCE SUMMARY—Continued

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Continued

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
NATIONAL INSTITUTES OF HEALTH									
National Cancer Institute	492,205,000	500,000,000	522,383,000	580,000,000	551,191,500	+58,986,500	+51,191,500	+28,808,500	−28,808,500
National Heart and Lung Institute	300,000,000	265,000,000	281,415,000	320,000,000	302,915,000	+2,915,000	+37,915,000	+21,500,000	−17,085,000
National Institute of Dental Research	46,991,000	38,452,000	44,131,000	47,000,000	45,565,500	−1,425,500	+7,113,500	+1,434,500	−1,434,500
National Institute of Arthritis, Metabolism, and Digestive Diseases	167,316,000	133,608,000	155,894,000	163,000,000	159,447,000	−7,869,000	+25,839,000	+3,553,000	−3,553,000
National Institute of Neurological Diseases and Stroke	130,672,000	101,198,000	120,073,000	125,000,000	125,000,000	−5,672,000	+23,802,000	+4,927,000	
National Institute of Allergy and Infectious Diseases	113,414,000	98,693,000	112,744,000	114,000,000	114,000,000	+586,000	+15,307,000	+1,256,000	
National Institute of General Medical Sciences	183,171,000	138,573,000	175,778,000	183,500,000	176,778,000	−6,393,000	+38,205,000	+1,000,000	−6,722,000
National Institute of Child Health and Human Development	130,429,000	106,679,000	125,254,000	135,254,000	130,254,000	−175,000	+23,575,000	+5,000,000	−5,000,000
National Eye Institute	38,562,000	32,092,000	36,631,000	46,631,000	41,631,000	+3,069,000	+9,539,000	+5,000,000	−5,000,000
National Institute of Environmental Health Sciences	30,956,000	25,263,000	28,879,000	28,879,000	28,879,000	−2,077,000	+3,616,000		
Research resources	75,073,000	88,632,000	133,322,000	134,000,000	133,472,000	+58,399,000	+44,840,000	+150,000	−528,000
John E. Fogarty International Center for Advanced Study in Health Sciences	4,666,000	3,586,000	4,767,000	4,767,000	4,767,000	+101,000	+1,181,000		
Subtotal, NIH research institutes	1,713,455,000	1,531,776,000	1,741,271,000	1,882,031,000	1,813,900,000	+100,445,000	+282,124,000	+72,629,000	−68,131,000
Health manpower	740,728,000	382,180,000	706,841,000	731,916,000	710,795,000	−29,933,000	+328,615,000	+3,954,000	−21,121,000
National Library of Medicine	28,568,000	24,994,000	25,871,000	25,871,000	25,871,000	−2,697,000	+877,000		
Buildings and facilities	8,500,000	8,000,000	8,000,000	8,000,000	8,000,000	−500,000			
Office of the Director	12,042,000	12,000,000	12,000,000	12,000,000	12,000,000	−42,000			
Scientific activities overseas (special foreign currency program)	25,619,000	1,912,000	1,912,000	1,912,000	1,912,000	−23,707,000			
Payment of sales insufficiencies and interest losses	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000				
General research support grants	(60,700,000)	(2)	(2)	(2)	(2)				
Total, National Institutes of Health	2,532,912,000	1,964,862,000	2,499,895,000	2,665,730,000	2,576,478,000	+43,566,000	+611,616,000	+76,583,000	−89,252,000
EDUCATION DIVISION									
OFFICE OF THE ASSISTANT SECRETARY FOR EDUCATION									
Salaries and expenses, assistant secretary for education	1,495,000	1,852,000	1,722,000	1,722,000	1,722,000	+227,000	−130,000		
Postsecondary innovation		15,000,000	10,000,000	10,000,000	10,000,000	+10,000,000	−5,000,000		
Subtotal, Assistant Secretary for Education	1,495,000	16,852,000	11,722,000	11,722,000	11,722,000	+10,227,000	−5,130,000		
OFFICE OF EDUCATION									
Education revenue sharing		2,520,205,000	(3)	(3)	(3)		−2,520,205,000		
Elementary and secondary education	2,024,393,000	76,000,000	2,105,393,000	2,139,893,000	2,121,893,000	+97,500,000	+2,045,893,000	+16,500,000	−18,000,000
School assistance in federally affected area	661,405,000	60,500,000	610,000,000	633,800,000	610,000,000	−51,405,000	+549,500,000		−23,800,000
Emergency school assistance	270,640,000	270,640,000	258,193,000	258,193,000	258,193,000	−12,447,000	−12,447,000		
Education for the handicapped	157,409,000	93,609,000	143,609,000	159,069,000	152,404,000	−5,005,000	+58,795,000	+8,795,000	−6,665,000
Occupational, vocational and adult education	643,460,000	45,000,000	600,641,000	651,558,000	614,903,000	−28,557,000	+569,903,000	+14,262,000	−36,655,000
Higher education	1,693,010,000	1,747,914,000	1,808,914,000	2,025,914,000	1,889,414,000	+196,404,000	+141,500,000	+80,500,000	−136,500,000
Library resources	264,857,000		176,209,000	176,709,000	171,709,000	−93,148,000	+171,709,000	−4,500,000	−5,000,000
Educational development	344,055,000	120,375,000	161,110,000	163,670,000	157,170,000	−186,885,000	+36,795,000	−3,940,000	−6,500,000
Educational activities overseas (special foreign currency program)	3,000,000	3,000,000	2,000,000	1,000,000	1,000,000	−2,000,000	−2,000,000	−1,000,000	
Salaries and expenses	82,265,000	88,118,000	83,118,000	86,747,000	86,747,000	+4,482,000	−1,371,000	+3,629,000	
Student loan insurance fund	46,640,000	57,883,000	57,883,000	57,883,000	57,883,000	+11,243,000			
Payment of participation sales insufficiencies	2,921,000	2,948,000	2,948,000	2,948,000	2,948,000	+27,000			
Subtotal, Office of Education	6,194,055,000	5,086,192,000	6,010,018,000	6,357,384,000	6,124,264,000	−69,791,000	+1,038,072,000	+114,246,000	−233,120,000
NATIONAL INSTITUTE OF EDUCATION									
National Institute of Education	92,082,000	162,197,000	142,671,000	75,000,000	75,000,000	−17,082,000	−87,197,000	−67,671,000	
Total, Education Division	6,287,632,000	5,265,241,000	6,164,411,000	6,444,106,000	6,210,986,000	−76,646,000	+945,745,000	+46,575,000	−233,120,000

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
SOCIAL AND REHABILITATION SERVICE									
Grants to States for public assistance	$13,958,770,000	$12,891,048,000	$12,891,048,000	$12,864,279,000	$12,853,279,000	−$1,105,491,000	−$37,769,000	−$37,769,000	−$11,000,000
Work incentives	340,498,000	534,434,000	384,434,000	340,443,000	340,443,000	−55,000	−193,991,000	−43,991,000	
Social and rehabilitation services	283,582,000	264,032,000	291,717,000	307,217,000	298,917,000	+15,335,000	+34,885,000	+7,200,000	−8,300,000
	(698,182,000)	(700,096,000)	(1)	(1)	(1)				
Research and training activities (special foreign currency program)	8,000,000	4,000,000	2,000,000			−8,000,000	−4,000,000	−2,000,000	
Salaries and expenses	60,215,000	78,800,000	78,800,000	70,000,000	72,200,000	+11,985,000	−6,600,000	−6,600,000	+2,200,000
Trust fund transfer	*(600,000)*	*(600,000)*	*(600,000)*	*(600,000)*	*(600,000)*				
Total, Social and Rehabilitation Service	14,651,065,000	13,772,314,000	13,647,999,000	13,581,939,000	13,564,839,000	−1,086,226,000	−207,475,000	−83,160,000	−17,100,000
SOCIAL SECURITY ADMINISTRATION									
Payments to social security trust funds	2,475,485,000	3,110,181,000	3,110,181,000	3,110,181,000	3,110,181,000	+634,696,000			
Special benefits for disabled coal miners	1,520,222,000	967,868,000	967,868,000	967,868,000	967,868,000	−552,354,000			
Supplemental security income program	77,207,000	2,211,636,000	2,211,636,000	2,211,636,000	2,211,636,000	+2,134,429,000			
Limitation on salaries and expenses	*(1,403,047,000)*	*(1,887,898,000)*	*(1,887,898,000)*	*(1,887,898,000)*	*(1,887,898,000)*	*(+484,851,000)*			
Limitation on construction	*(1,000,000)*					*(−1,000,000)*			
Total, Social Security Administration	4,072,914,000	6,289,685,000	6,289,685,000	6,289,685,000	6,289,685,000	+2,216,771,000			
SPECIAL INSTITUTIONS									
American Printing House for the Blind	1,696,500	1,817,000	1,817,000	1,817,000	1,817,000	+120,500			
National Technical Institute for the Deaf	6,609,000	6,487,000	6,487,000	6,487,000	6,487,000	−122,000			
Model Secondary School for the Deaf	4,625,000	3,975,000	3,962,000	3,975,000	3,975,000	−650,000		+13,000	
Gallaudet College	14,446,000	10,599,000	10,492,000	10,599,000	10,599,000	−3,847,000		+107,000	
Howard University	58,881,000	58,784,000	57,873,000	58,784,000	58,784,000	−97,000		+911,000	
Total, Special Institutions	86,257,500	81,662,000	80,631,000	81,662,000	81,662,000	−4,595,500		+1,031,000	
OFFICE OF CHILD DEVELOPMENT									
Child development	415,706,000	443,800,000	419,100,000	450,100,000	434,600,000	+18,894,000	−9,200,000	+15,500,000	−15,500,000
OFFICE OF THE SECRETARY									
Office for Civil Rights	14,909,000	17,943,000	17,943,000	17,943,000	17,943,000	+3,034,000			
Trust fund transfer	*(1,180,000)*	*(1,253,000)*	*(1,253,000)*	*(1,253,000)*	*(1,253,000)*	*(+73,000)*			
Departmental management	57,434,000	122,198,000	120,198,000	107,898,000	107,898,000	+50,464,000	−14,300,000	−12,300,000	
Trust fund transfer	*(6,875,000)*	*(7,890,000)*	*(7,890,000)*	*(7,890,000)*	*(7,890,000)*	*(+1,015,000)*			
Total, Office of the Secretary	72,343,000	140,141,000	138,141,000	125,841,000	125,841,000	+53,498,000	−14,300,000	−12,300,000	
Total, new budget (obligational) authority, Department of Health, Education, and Welfare	30,430,375,500	30,420,855,000	31,501,695,000	31,998,460,000	31,589,369,000	+1,158,993,500	+1,168,514,000	+87,674,000	−409,091,000
Consisting of—									
Definite appropriations	30,364,271,500	30,348,752,000	31,429,592,000	31,926,357,000	31,517,266,000	+1,152,994,500	+1,168,514,000	+87,674,000	−409,091,000
Indefinite appriations	66,104,000	72,103,000	72,103,000	72,103,000	72,103,000	+5,999,000			
TITLE III—RELATED AGENCIES									
Action (domestic programs)	$42,788,260	$43,004,000	$43,004,000	$43,004,000	$43,004,000	+$215,740			
	(51,588,000)	(49,395,000)	(1)	(1)	(1)				
Cabinet Committee on Opportunities for Spanish-speaking People	(1,000,000)	(1,000,000)	(1)	(1)	(1)				
Corporation for Public Broadcasting	[4] 35,000,000	[4] 45,000,000	(1)	[4] 55,000,000	[4] 50,000,000	+15,000,000	+$5,000,000	+$50,000,000	−$5,000,000
Federal Mediation and Conciliation Service	10,818,000	10,960,000	10,960,000	10,960,000	10,960,000	+142,000			
National Commission on Libraries and Information Science	406,000	406,000	406,000	406,000	406,000				
National Labor Relations Board	50,456,000	55,050,000	55,050,000	55,050,000	55,050,000	+4,594,000			
National Mediation Board	2,888,000	2,867,000	2,867,000	2,867,000	2,867,000	−21,000			
Occupational Safety and Health Review Commission	5,979,000	4,890,000	4,890,000	4,890,000	4,890,000	−1,089,000			
Office of Economic Opportunity	790,200,000	143,800,000	333,800,000	358,800,000	346,300,000	−443,900,000	+202,500,000	+12,500,000	−12,500,000

Footnotes at end of table.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1974 (H.R. 8877) NEW BUDGET (OBLIGATIONAL) AUTHORITY—CONFERENCE SUMMARY—Continued

TITLE III—RELATED AGENCIES—Continued

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
Railroad Retirement Board:									
Payments for military service credits	$21,645,000	$22,478,000	$22,478,000	$22,478,000	$22,478,000	+$833,000			
Limitation on salaries and expenses	*(20,982,000)*	*(21,330,000)*	*(21,330,000)*	*(21,330,000)*	*(21,330,000)*	*(+348,000)*			
Soldiers' and Airmen's Home (trust fund appropriation):									
Operation and maintenance	12,276,000	13,326,000	13,326,000	13,326,000	13,326,000	+1,050,000			
Capital outlay	2,309,000	456,000	456,000	456,000	456,000	−1,853,000			
Total, new budget (obligational) authority, related agencies	974,765,260	342,237,000	487,237,000	567,237,000	549,737,000	−425,028,260	+$207,500,000	+$62,500,000	−$17,500,000
Grand total, new budget (obligational) authority	33,639,371,260	31,549,953,000	32,816,467,000	33,396,379,000	32,926,796,000	−712,575,260	+1,376,843,000	+10,329,000	−469,583,000
Consisting of—									
Definite appropriations	33,568,267,260	31,472,850,000	32,744,364,000	33,319,276,000	32,849,693,000	−718,574,260	+1,376,843,000	+105,329,000	−469,583,000
Indefinite appropriations	71,104,000	77,103,000	72,103,000	77,103,000	77,103,000	+5,999,000		+5,000,000	

[1] Not considered.
[2] Included in "Research resources" in 1974.
[3] This item is presently not authorized by law.
[4] Includes indefinite appropriation of $5,000,000.

Mr. MICHEL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, you will note that Mr. CEDERBERG, our ranking member on the full Committee on Appropriations, Mr. ROBINSON of Virginia, of our subcommittee, Mrs. GREEN from the majority side, and I did not sign the conference report.

Mr. CONTE, the gentleman from Massachusetts, did sign it with a reservation with respect to the title I formula and the National Institutes of Education item.

This indicates that there was some serious division of thought within our subcommittee which represented you in the conference with the other body.

Mr. Speaker, as our chairman has pointed out, this conference report comes back to you $1,376 million over the budget. Members will recall that when the bill was considered in the House it was reported at a level of $1.2 billion over the President's budget. I offered a package of amendments that totaled something like $629 million of reductions from that which was recommended to the House. Had we adopted that amendment to cut the increase over the budget in half, we would have been in a much better position today. We lost the vote 213 to 184 but that was very respectable considering all the popular items that were at issue. The fact that there was considerable support in this House for a lower figure persuades me to speak as I do today. Conditions have not changed all that much.

The other body in its usual fashion ballooned the House figure up to the point where the bill was $1.8 billion over the President's budget. Your House conferees, I will say quite frankly, did a good job in striking a better bargain than our counterparts for, as the chairman indicated, the conference report comes back to you and is $110 million over the House-passed bill and $469 million under the Senate bill.

As I said earlier, it is still $1,376 million over the President's budget, and that is far too much for me to digest.

Mr. Speaker, our chairman in his remarks made mention of the fact that the conference report is $712 million less than the appropriation for fiscal year 1973. Members will recall we ended up with no bill and operated throughout the year on a continuing resolution. The key to this is in HEW alone for the conference report figure is $2.8 billion over the spending level for fiscal year 1973. That is the thing we have to be talking about here today.

What are we actually spending today and what would we be spending under the increases built into this conference report? I am concerned about our busting the budget this way and every Member preaching economy ought to feel the same way. The President is attempting to hold down Federal spending to combat inflation and he ought to be supported.

We hear a lot of talk in the other body and in this House about the Congress taking hold of the entire budget process and putting our financial house in order. This is our chance to match our talks with a vote. Just a week or 10 days ago many Members were voting against an increase in the Federal debt limit. How can Members vote against an increase in the debt limit in good conscience and then vote for a $1.3 billion increase over the President's budget by adopting this conference report?

It is rather significant that the Committee on Rules today should be reporting out its overall budget reform legislation with an anti-impoundment provision in it which forces the President to spend.

We cannot have it both ways here. I suggest that here is a good opportunity and a very significant one, to show your true mettle.

Mr. Speaker, Mr. QUIE, Mr. GIAIMO, and I suspect Mrs. GREEN of Oregon and others will want an opportunity to speak on the conference report with respect to their reservations about title I and the distribution of the elementary and secondary education funds.

That same language which appeared in the continuing resolution is involved here today, so it is a matter for discussion. All of you will want to know a little bit more about it I'm sure.

As I said at the very outset, I did not sign the conference report, and that should come as no surprise to Members who knew of my position when we first considered the bill here in the House.

The SPEAKER. The time of the gentleman has expired.

Mr. MICHEL. Mr. Speaker, I yield myself 2 additional minutes.

When my package of amendments failed, I was one of those 58 Members who voted against the bill on final passage.

I certainly support the gentleman from Minnesota (Mr. QUIE) and the gentlewoman from Oregon (Mrs. GREEN) and several others in what they are attempting to do here to revamp this title I formula of the Elementary and Secondary Education. Act. So I would hope that during the remaining time in this debate those Members who have questions about the conference report would be frank to ask those questions, and we will also be glad to yield time to those who would like to speak either for or against the adoption of the conference report.

Mr. FLOOD. Mr. Speaker, does the gentleman from Illinois (Mr. MICHEL) have further requests for time?

At this point I have no further requests for time.

Mr. MICHEL. Mr. Speaker, I do have requests for time.

Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Speaker, I urge my colleagues to recommit this bill back to conference with a change in the title I formula.

When the last continuing resolution went through the House in early October we had assurances that the hold-harmless limitation in that continuing resolution would be reconsidered in the conference on the Labor-HEW appropriations bill. I see that the appropriations conferees are now coming back proposing that we accept the same 90–90–115

hold-harmless provisions that were in the continuing resolution.

Mr. FLOOD. Mr. Speaker, if the gentleman will yield, of course the gentleman does know that we did reconsider this.

Mr. QUIE. I know that it was reconsidered, but the conferees are now coming back proposing that we accept the same formula. And why is this not acceptable? Because the only reason I went along with the continuing resolution in October was because we were on the last day of the old resolution. At midnight that night the Federal Government would have been without spending authority. Also, if we had gone back for an extension of what had been in the first continuing resolution we would have held every State harmless at 100 percent of what they got in 1972.

Now the conferees come back with a proposed change that is no change at all. It is wrong to have a State held harmless at 90 percent of 1972; 1972 was 2 years ago. There was some shift in poor population between 1972 and 1973 the way it is counted under the formula. There is no reason why we should take a State back to 1972. Besides, it is the local education agency that is important. I am willing to accept the raise of 5 percent from the 85 percent LEA hold-harmless I proposed in October up to the 90-percent LEA hold-harmless as proposed in this legislation. I cannot accept the limitation that no local education agency go higher than 115 percent of that which it received in 1973.

In 1973 it was based on the 1960 census information. If an LEA has doubled its poor population based on the 1970 census, why should it be held to 115 percent?

If we limit every local education agency to that, it means we have no chance to make any significant adjustment in the State, and a dramatic shift of poor population has occurred within States, to say nothing of what has occurred between States.

If we look at the figures of what happened to a number of children from families with incomes below $2,000—forget about AFDC—based on the 1960 census, we see some things that are significant. Iowa, for instance, had 71,000 children from families below $2,000 in 1960. If we double the income amount to $4,000, Iowa only has 58,000 children from families of that income in 1970. When we compare that with New Jersey, New Jersey in 1960 had 59,000 children from $2,000 incomes and below, but in 1970 had 128,000 children from families with income below $4,000. So there is double the number of children from families with double the income in New Jersey. We can compare a couple of other situations—North Carolina had 325,000 children from incomes less than $2,000 in 1960, and only 246,000 children from families of less than $4,000 income in 1970.

But New York, which had 200,000 children from families below $2,000 income in 1960 now has 434,000 children from families of less than $4,000. Four times as many children in New York.

Let me give comparisons of two more States. West Virginia went from 106,000 children from families of less than $2,000 income in 1960, to 78,000 from $4,000 families in 1970, as compared with California which had 206,000 children from $2,000 incomes or less in 1960, all the way up to 488,000 in 1970 from $4,000 income families or less; 2½ times as many in 1970. That indicates only the shifts of poor children that have occurred between States. It does not take into consideration the shifts that have occurred within each State.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. The gentleman mentioned Iowa. I will point out that under the gentleman's proposal and under the committee proposal both, Iowa gets the same percentage of national totals.

Mr. QUIE. What I am talking about in the proposal that you bring here, is that the local education agencies that have had a dramatic increase in low-income children are not able to receive more money than 115 percent of their 1973 allotment.

The SPEAKER. The time of the gentleman has expired.

Mr. MICHEL. Mr. Speaker, I yield 3 additional minutes to the gentleman from Minnesota.

Mr. QUIE. I thank the gentleman.

When the money is taken from all the local education agencies that are entitled under the formula to more than 115 percent of what they received in 1973, and given to all those local education agencies that are to be brought up to 90 percent of their 1973 allotment and then used to bring all the States that still were below 90 percent of what they received in 1972 up to that level, there was still some money left over. Since we are appropriating $1,810 million for title I ESEA, the money remaining after the above distribution is made is then distributed among the local education agencies that were between 90 percent and 115 percent of their 1973 allotment. Those LEA's would be more than they ever were entitled to under any fair and equitable formula. That is how bad the proposal is which the conference committee is recommending that we accept.

The most peculiar of all was New Mexico where 90 percent of the amount they received in 1972 is higher than the 115 percent limit on the amounts any local school district may receive.

We just cannot work out the distribution of funds unless my formula is accepted. That is why I recommend that we hold each local education agency harmless at 90 percent of what they received in 1973, and then put a 120-percent limit on each State, so that the local education agencies within the State which have had a substantial increase in the number of low-income children will be able to receive the funds they need to finance their compensatory education programs.

The title I programs that started getting financing in the first quarter of this year, at a higher level because of this big increase in low-income children now would be cut way back by the committee proposal. I refer Members to the second chart on page 36729 in Monday's RECORD.

Those are the basic reasons why we ought to recommit the bill and get a hold harmless and limitation for this fiscal year 1974. This is within reason and that gets money to kids who need services. It is interesting that if we adopt my proposal, 32 States including the District of Columbia will get more money; 19 States will get less money. That really shows how unreasonable the formula is that is proposed by the committee, when 19 States are benefited by that formula and 32 States suffer.

I think that the Members ought to be able to support my proposal, so I call on my colleagues to send this bill back to conference. We have a continuing resolution that is operating. Let the conference committee come out with something that is better than what they are proposing to do today. In that way the title I compensatory education programs can be more effective than would be the case if the committee's recommendations were adopted.

Mr. Speaker, I yield the remainder of my time back to the gentleman from Illinois (Mr. MICHEL).

Mr. FLOOD. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. MAHON) the chairman of the Committee on Appropriations.

ACTION ON APPROPRIATIONS AND EXPENDITURES FOR THE SESSION

Mr. MAHON. Mr. Speaker, under the 1-minute rule today I made a statement as to what apparently will be the fiscal situation with respect to appropriations and expenditures for this session. In the House tomorrow I thall elaborate further in regard to the fiscal situation.

Mr. FLOOD. I yield to the gentleman from Florida (Mr. ROGERS), who is chairman of the Public Health and Environment Subcommittee of the Committee on Interstate and Foreign Commerce for a question.

Mr. ROGERS. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding.

Mr. Speaker, may I say, before I propound a question, that I have been very much concerned about rumors that the Secretary of Health, Education, and Welfare wants to institute a policy of requiring payment from those people who are admitted to the clinical center at NIH even though those patients are admitted for research only.

The question is: Would the gentleman not agree that it has been our intent in formulating our programs on research and in funding those programs that people be admitted to the NIH clinical center for research purposes without charge to those people?

Mr. FLOOD. I certainly agree with the gentleman from Florida.

Mr. ROGERS. I thank the gentleman from Pennsylvania, the chairman of the committee.

Mr. MICHEL. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Speaker, I asked for this time simply to point out what we are doing in amendment No. 4 on page 7 of this report. Amendment No. 4

appropriates $70,408,000 to the questionable Occupational Safety and Health Administration. This amount provides for both salaries and 800 positions for compliance inspection. If all the House Members have had as many complaints on OSHA as I have had, I submit to the Members we could be spending the $70 million far more profitably than it is being spent by this administration.

Mr. FLOOD. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Kentucky (Mr. PERKINS), the chairman of the Education and Labor Committee.

Mr. PERKINS. Mr. Speaker, I rise in support of the conference committee's action on the title I "hold-harmless" provision. The adoption of this conference agreement will help us immensely in the authorizing committee in our efforts to work out a fair formula for title I for next fiscal year and for the succeeding years.

Yesterday, I inserted in the RECORD on page 36652 tables showing the breakdown of appropriations by State which would result from the adoption of this conference agreement. I also inserted a table showing the gains which each of the 30 largest school districts in the country would achieve under this conference agreement.

There are three basic reasons why I believe the conference agreement must be upheld. The first reason is that we have already caused local school districts enough confusion this year by changing their title I allocations twice. And it makes little sense to me to cause still more confusion by changing them a third time as proposed in the Quie amendment. This is especially true at this late time when one-half the school year is almost over.

The second reason why we must uphold the conference agreement is that it provides for a fair distribution of funds among the States. The largest States are given very substantial increases in funds. But these increases occur in such a way so as not to cause great disruptions in local title I programs in other States.

New York State, for instance, gains $30 million under the conference agreement over what it had last year. California gains $17 million. Illinois gains $10 million. Pennsylvania gains $10 million. Texas $7 million. But none of these increases severely cripple programs in other States.

The Quie proposal, on the other hand, will take away very substantial amounts from the 19 poorest States in the country and will cripple their title I programs. These shifts will occur under the Quie proposal because these States are not wealthy enough to make high AFDC payments which qualify them to count more title I children.

The increases under the Quie amendment do not occur because of shifts in population. They only occur because of the very inequitable AFDC part of the formula.

Let me give an example to illustrate this point. Connecticut had a slight gain in population from 1960 to 1970. It went from having 1.4 percent of the total population to 1.5 percent. Texas also had a gain—but it was twice as much as Connecticut's—from 5.3 percent to 5.5 percent. However, under the Quie amendment, Connecticut will gain approximately $600,000 while Texas will lose approximately $4 million.

The Quie amendment is not allowing funds to follow population shifts. Rather, it is rewarding Connecticut for having high AFDC payments and penalizing Texas which had twice as much growth in population.

The last reason I oppose the Quie amendment is that it will result in some of the richest areas in the country receiving increased grants at the expense of some of the poorest areas in the country. For instance, Fairfax County, Va., one of the richest counties in the country, would double its allocation under the Quie amendment. Montgomery County, Md., also one of the wealthiest counties, would increase its allocation by 25 percent.

I fully recognize that those areas have need for additional funds, but increases to them should not be at the expense of the poorest counties in their States which occurs under the Quie amendment.

Mr. Speaker, the conference committee has come back to us with a reasonable compromise. I believe that we must uphold its action and reject the Quie amendment.

Mr. FLOOD. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Speaker, I rise to urge Members to vote to recommit this conference report to the conference committee, primarily because of the controversy over amendment 32, which deals with the distribution of funds for educational purposes and concerning the formula for the allocation of said educational moneys.

We have debated this matter several times before these past few months and there has been much controversy. We hear that one State, such as my own, will gain moneys and another State, such as perhaps Texas, will lose money.

The fact is that there are 32 States which under the present formula in the committee bill will lose money which otherwise they would be entitled to because of the fact that the committee bill continues an inequitable formula for fund allocations based on the outdated 1960 census formula.

This is an appropriation bill. This matter should be straightened out by the Committee on Education and Labor.

That committee should come up with an equitable formula so that States which have an increase in child population would get their fair share of the moneys, but the fact is that year in and year out, the authorizing committee has failed to come up with an equitable formula. If we do not remedy this inequitable situation here in the only vehicle before us, the Appropriations Committee bill, we will continue the inequity.

The inequity is that because of using 1960 figures and because of the fact that there have been mass migrations since 1960, States which no longer have the children living in them are being paid excessive educational moneys because they are allowed to count in their formula children who no longer live in those States and have in fact moved to the more populous and urban States; and those Urban States, because of the inequity in the formula, are being deprived of moneys which they should have because the increased numbers of children are now living there.

Mr. Speaker, this charade has gone on long enough. I submit to the Members that if they do not act now and recommit this bill to the conference committee, I submit that the Education and Labor Committee will not be disposed to come forward with an equitable formula, and we will continue once again this inequity.

Mr. Speaker, I urge the recommittal of this bill.

Mr. MICHEL. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SARASIN).

Mr. SARASIN. Mr. Speaker, I join my colleagues in support of recommital of the Labor-HEW Appropriations conference report with instructions to the conferees to resolve the problems attendant to the formula for title I of the Elementary and Secondary Education Act.

At present, the language of H.R. 8877 concerning the title I formula provides that each school district receive not less than 90 percent of the amount it received in 1973 nor more than 115 percent of this amount. It also provides that each State would receive not less than 90 percent of the amount they received in 1972.

This provision is simply not acceptable. It is against the principles of not only title I but also those which supposedly underlie the very purpose of government—to address needs that truly exist in the most effective and efficient manner based on the most current data available—the 1970 census figures. If we do not adhere to this approach, we will continue to perpetuate the imbalance that now exists between our resources and our needs.

I urge that the arbitrary ceiling on the amount a local school district can receive be removed. The only limitation that should be incorporated would be that States in the aggregate could not receive more than 20 percent above the amount they received in 1973. Such an approach would allow necessary flexibility in the design of a new formula to meet the needs of the 1970's while permitting changes to be reflected within and between States.

We can never underestimate the fact that our children are most important, that our future rests in their hands. Their needs must be addressed forthrightly—wherever they exist—if we are to honor our commitment to the people of America to meet needs with the full impact of our resources.

Mr. FLOOD. Mr. Speaker, I yield 3 minutes to the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Speaker, I could not sign the conference report on this bill because it seems to me, as a matter of conscience, this House should not be using, in the fiscal year 1974, the 1960 census figures as far as children in school are concerned, when we think that we have had migrations from State to State at the rate of 500,000 to 600,000 people per year during several of the years of the sixties.

Then within every single congressional district there have been migrations from one school district to another. In many congressional districts—because of the formula, there will be one school district being paid for children who moved away 6 or 8 years ago and another school district will not receive money for children who are occupying desks now—because they weren't there according to the 1960 census figures still being used.

I do want to tell the gentleman from Pennsylvania, the distinguished chairman of the subcommittee, that I think he made every effort to try to work out something, and we simply are hampered because the Committee on Education and Labor itself refuses to come out with a change in the formula that meets the current situation of the mid-seventies.

Now, a few moments ago I heard it said that the only issue here is the AFDC payments. I suggest that is not the case and that there are at least three major issues, and several other minor ones also.

It is not fair for some of the States who have some of the highest AFDC payments to receive more than their share of funds while other States which cannot make these high AFDC payments do not get as much under title I. I agree on that. But it is also true that there are statistics that have been passed around the House by which one can prove any point one sets out to prove.

I suggest that if we use AFDC alone and use low funding, we come out with one figure, and if we use high funding we come out with another figure on that AFDC factor alone.

The second thing that is of major importance is the migration, and it is unconscionable, in my opinion, to use 1960 census figures; this has been stated before: Unless this motion today to recommit is passed, it is my judgment that the authorizing committee simply will be happy, or at least some of them, those who have great power on that committee, to have the same formula used for the next 10 years.

Mr. Speaker, that is not fair to most of the States and to most of the school districts.

The third factor, which is certainly very unfair, is to use the figure of $2,000 as the poverty level cutoff. According to the 1960 census figures, there were more than 4 million families in the United States that were at the $2,000 or less poverty figure. In the 1970 census figures there were 2 million families plus, in other words, about a 50-percent change in this particular factor.

Now, as I said, one can put any statistics together and come up with any position that one wishes to defend.

The SPEAKER. The time of the gentlewoman from Oregon (Mrs. GREEN) has expired.

Mr. MICHEL. Mr. Speaker, I yield 5 additional minutes to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Speaker, it seems to me that the best thing to do today is to vote for the motion that is being supported by the gentleman from Connecticut (Mr. GIAIMO) and the gentleman from Minnesota (Mr. QUIE) to refer this back to the conferees, to make it abundantly clear that we cannot go on year after year after year giving some school districts money for children who have not lived there for perhaps 5 or 8 years and then not give money to other school districts and other States for children who actually are in attendance at that school. And that is really the major issue.

Now, I would not argue that the particular formula that the gentleman from Minnesota (Mr. QUIE) is supporting is the fairest formula in the world. In fact I do not think it is.

However, I think it is far better than what we are doing in the conference report.

It seems to me that the members of the Committee on Education and Labor ought to examine a lot of formulas.

I might say, Mr. Speaker, that if I had my druthers, I would do away entirely with this formula we have been operating under, and I would consider as a factor average daily attendance so we would give the money to every school district for the youngsters who are actually enrolled and attending there. I would have that as one of the factors.

Then I would use the wealth of the State as a factor, because if some of the States are far wealthier than others, they ought to contribute more for the education of their children.

Then I think there ought to be an effort index.

I have not looked at studies in the last year, but I have looked at them in prior years.

In every previous study I have looked at, for example, the State of Mississippi, which is not by any means one of the wealthiest States, makes a greater effort to support education in their State than New York State. A formula based on these three factors might be used and after the allocation to States and school districts, the funds could still be used for the purposes of title I. There are other formulas that would undoubtedly be more fair than the present one.

Mr. Speaker, in conclusion I urge that this House support the motion that will be made by the gentleman from Minnesota (Mr. QUIE) or the gentleman from Illinois (Mr. MICHEL) and that this be referred to the conference committee and that they try to come back with some kind of a change which at a minimum comes closer in paying school districts for the youngsters who are there and who are enrolled and being educated there and not pay the school districts for youngsters who have not lived there for many, many years.

Mr. MICHEL. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. SMITH).

(Mr. SMITH of Iowa asked and was given permission to revise and extend his remarks and include extraneous matter and a table.)

The table is as follows:

TITLE I, PT. A, ELEMENTARY AND SECONDARY EDUCATION ACT ESTIMATED COMPARATIVE DISTRIBUTION OF LOCAL EDUCATIONAL AGENCY GRANTS

	Fiscal year 1973 operating level	Fiscal year 1974 continuing resolution [1]	Percent [2]	Percent [3]	Percent [4]	Quie	Percent of national pupil population (1970 ADA)
Total, LEA grants	$1,316,037,468	$1,444,116,298	100.0	100.0	100.0	100.0	100.0
Alabama	34,549,166	36,231,421	1.5	2.7	2.5	2.2	1.8
Alaska	2,415,064	2,777,324	.2	.2	.2	.2	.2
Arizona	8,134,242	9,354,378	.7	.8	.6	.7	.9
Arkansas	20,963,618	21,793,010	.8	1.6	1.5	1.3	1.0
California	111,618,375	128,361,130	10.6	7.5	8.9	9.1	10.5
Colorado	10,237,378	11,772,985	.9	.8	.8	.8	1.2
Connecticut	11,747,931	13,510,121	1.3	.8	.9	1.0	1.5
Delaware	2,323,748	2,762,310	.2	.2	.2	.2	.3
Florida	24,111,072	27,727,733	2.0	3.1	1.9	2.0	3.1
Georgia	40,573,812	36,516,431	2.0	2.9	2.5	2.7	2.4
Hawaii	3,715,263	4,272,552	.4	.2	.3	.3	.4
Idaho	2,719,220	3,127,103	.2	.2	.2	.2	.4
Illinois	69,554,901	79,988,136	6.5	4.9	5.5	5.7	5.0
Indiana	18,773,439	21,589,455	1.3	1.3	1.5	1.4	2.8
Iowa	14,601,661	13,918,193	.8	.8	1.0	1.0	1.5
Kansas	9,147,430	10,519,544	.7	.7	.7	.7	1.1
Kentucky	32,212,788	33,418,715	1.5	2.2	2.3	2.1	1.5
Louisiana	31,322,489	33,117,401	2.0	3.1	2.3	2.3	1.8
Maine	5,633,673	6,478,724	.5	.4	.4	.5	.5
Maryland	19,380,669	22,287,769	2.0	1.5	1.5	1.6	1.9
Massachusetts	24,893,505	28,627,531	2.5	2.0	2.0	2.0	2.7
Michigan	51,768,916	59,534,253	5.1	3.9	4.1	4.2	4.7

TITLE I, PT. A, ELEMENTARY AND SECONDARY EDUCATION ACT ESTIMATED COMARATIVE DISTRIBUTION OF LOCAL EDUCATIONAL AGENCY GRANTS—Continued

	Fiscal year 1973 operating level	Fiscal year 1974 continuing resolution [1]	Percent [2]	Percent [3]	Percent [4]	Quie	Percent of national pupil population (1970 ADA)
Minnesota	$20,897,155	$23,204,280	1.4	1.3	1.6	1.6	2.1
Mississippi	35,922,629	37,866,737	1.4	2.7	2.6	2.2	1.3
Missouri	23,367,302	24,352,345	1.4	1.8	1.7	1.8	2.2
Montana	2,865,542	3,295,373	.2	.3	.2	.2	.4
Nebraska	7,187,530	7,905,410	.4	.5	.5	.5	.8
Nevada	923,899	1,062,484	.1	.1	.1	.1	.3
New Hampshire	2,007,413	2,308,525	.2	.2	.2	.2	.3
New Jersey	44,232,287	50,867,130	4.5	3.5	3.5	3.6	3.1
New Mexico	7,393,185	8,502,163	.6	.8	.6	.6	.6
New York	196,835,764	226,361,130	18.9	15.5	15.7	16.1	7.4
North Carolina	51,556,663	50,634,889	1.8	3.1	3.5	3.2	2.6
North Dakota	4,101,267	3,844,063	.2	.3	.3	.3	.3
Ohio	42,248,122	48,585,340	3.7	3.1	3.4	3.5	5.3
Oklahoma	16,649,246	17,243,236	.9	1.3	1.2	1.1	1.3
Oregon	8,421,321	9,684,519	.8	.7	.7	.7	1.0
Pennsylvania	64,998,125	74,747,844	5.7	4.9	5.2	5.3	5.2
Rhode Island	4,873,849	5,604,926	.4	.3	.4	.4	.4
South Carolina	29,853,231	30,881,808	1.2	2.0	2.1	1.9	1.4
South Dakota	5,470,551	5,639,443	.3	.4	.4	.4	.4
Tennessee	31,273,191	32,659,556	1.2	2.5	2.3	2.0	2.0
Texas	67,675,754	67,124,681	4.0	6.1	4.6	5.0	5.8
Utah	3,894,921	4,479,159	.4	.3	.3	.3	.7
Vermont	2,093,957	2,408,051	.1	.1	.2	.2	.2
Virginia	31,522,692	30,423,187	1.8	2.2	2.1	2.3	2.4
Washington	13,445,639	15,462,85	1.3	1.2	1.0	1.1	1.8
West Virginia	17,319,813	18,472,046	.9	1.1	1.3	1.1	.9
Wisconsin	17,340,875	19,942,006	1.5	1.3	1.4	1.4	2.1
Wyoming	1,170,817	1,346,440	.1	.1	.1	.1	.2
District of Columbia	10,096,368	11,610,823	1.0	.5	.8	.8	.3

[1] Based on HEW estimated distribution as of Oct. 11, 1973.

[2] Percent of national total under existing authorization which excludes children from poverty families earning between $2,000 and $4,000 annually but includes all AFDC.

[3] Percent of national total that school districts in each State would receive if all poverty families with incomes under $4,000 are included and all AFDC regardless of income.

[4] Percent of national total that school districts in each State would receive this year under committee compromise and current continuing resolution (90 percent minimum and 115 percent maximum of 1973 level).

Note: Title I grants are made to individual school districts and within every State some would receive less and some would receive more than last year. The above figures represent the aggregate for each State.

Mr. SMITH of Iowa. Mr. Speaker, I agree very much with most of what the gentlewoman from Oregon said, but I do not agree with her conclusion. I think she reached the wrong conclusion.

I agree that one cannot tell what the situation is in a local school district by looking at the dollar totals for States in tables that have been floating around here. That is why I got the Library of Congress to work up a table dealing with the percentages of whatever dollar level is used.

Most of these allocations are on the basis of local school districts, but the table I have will, on the State level, provide something to compare it with.

In using percentage figures, if we use the average daily attendance in Alabama, they have 1.8 percent of the total children in the United States in average daily attendance, but this law is not based on ADA. The bill allocates for disadvantaged children, and it is supposed to be based on the number of children from low-income families. Alabama has 2.7 percent of the children from low-income families based on a $4,000 a year income total, whether the income is from AFDC or earned or both.

The law without the amendment in the committee bill uses 1960 figures and $2,000 a year as a low-income definition. We passed a minimum wage bill here that would not just double the minimum wage over 1960, but it was three times that of 1960.

If one uses a fair table, it has to be on the basis of $4,000, and under and consider those people to be low-income families. So Alabama should be entitled to a total of 2.7 percent and under our bill they receive 2.5 percent, and under the Quie proposal they would be cut to 2.2 percent.

Now, in California, the committee would allocate a total of 8.9 percent, but they have 7.5 percent of the poor children. They should not complain about that.

Then we come to Connecticut. Connecticut should receive 0.8 percent of the total allocation, but we give them 0.9 percent, and the Quie proposal gives them 1 percent. We are already giving them 12.5 percent more than they deserve, but the Quie bill would give them 25 percent more than would be fair.

Then we come to Illinois. We would give them 5.5 percent, and they deserve 4.9 percent, and the Quie proposal gives them a total of 5.7 percent.

Massachusetts and Iowa would get the same under both proposals.

New York has only 7.4 percent of all the children in average daily attendance. We give them 15.7 percent of the money. That is double the amount it would be if it were based on an average daily attendance basis. Now, under a fair proposal based on low income and AFDC, they would receive 15.5 percent. The bill provides 15.7 percent total for New York.

Some of the Members from New York are not satisfied with receiving 12 percent more than they deserve. I do not mind people getting a bonanza if it is floating by, but to be greedy is something else. We should keep this allocation to districts within reason this year so that the authorizing committee can report out a bill and we can get a fair proposal adopted. If some districts are so far out of kilter, we will never get them back in line.

Now let us take a look at Virginia which tells more of the story. They should receive 2.2 percent of the total. Under our committee bill they receive 2.1 percent. The Quie proposal gives them 2.3 percent, but that is the State total. Here is what happens within the State. The committee bill would give them $535 million to Fairfax County, but the Quie proposal gives them over $1 million. Although the state total remains nearly the same, the Quie amendment would double the amount for wealthy Fairfax County. Now take one of the poorer counties—Bedford County, Va.

Under our proposal they get $196,000. Under the Quie proposal they are reduced to $176,000.

So, you see what really happens here under the Quie proposal is to reward those who have the money to match more ADC funds, and if they have a higher percentage of the people on ADC, then they receive more education money. The ADC, but we would also give them a bigger share of title I.

That is not the fair way to do it. The way we should do it is to try to keep the distribution as close to a fair amount as possible until the authorizing committees come out with a proposal.

I agree with the gentlewoman from Oregon (Mrs. GREEN) that none of these proposals are exactly fair, but we did the best we could do and the committee proposal is more fair than the Quie amendment. The Members can take a look at these tables that I have placed in front of the Members, and they can see that the proposal we have is a much more fair proposal than the Quie proposal. So I urge the Members to stick with it.

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of Iowa. Mr. Speaker, would the gentleman from Illinois (Mr. MICHEL) yield me additional time?

Mr. MICHEL. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER. The Chair will state to the gentleman from Illinois that he has 3 minutes remaining.

Mr. MICHEL. Mr. Speaker, I yield 2 additional minutes to the gentleman from Iowa (Mr. SMITH), and I will reserve the remaining minute for my concluding remarks.

Mr. SMITH of Iowa. Mr. Speaker, I really appreciate the gentleman from Illinois yielding me this additional time.

Mr. Speaker, I want to point out that the bill is probably going to be vetoed. The Education Department was ready Friday to make the second allocation

under the continuing resolution. If the formula is changed by the Quie amendment and this bill is vetoed, the Department will not be able to make that allocation because they will not know what the formula will be under which they are supposed to allocate the money. First they had an allocation in September, and then it was changed by the continuing resolution. Now, the Quie amendment would require them to change it a third time, and they would have to wait if this bill is vetoed. I say that these local school districts are entitled to more stability in this school year. I think the best thing we can do is stick with the same formula that was in the continuing resolution and which is in the committee bill until we can get this thing worked out by the proper authorizing legislation.

So I certainly urge the Members to vote against the motion to recommit based upon the bill being too large, and to support the committee on the amendment affecting title I.

Mr. MICHEL. Mr. Speaker, I made the point earlier during the discussion on this conference report that I thought the figure of $1.376 billion over the budget was a good and sufficient reason to recommit this conference report. Now that I have heard all the discussion with regard to the controversy on title I, the allocation formula, I think there are additional good grounds for recommitting this conference report, and letting the conferees go back and try to work out a much better agreement. I would like to see a good vote for our position here this afternoon to indicate to the other body that we mean business, too.

When the Quie amendment was first adopted it carried by a vote of 269 to 94 and when my amendment was offered to hold the spending level more than $700 million below this conference report figure there were 184 Members voting for it—far in excess of the number needed to sustain a veto.

I hope the message we give here on this vote is a clear one. Let us vote down this conference report.

Mr. CEDERBERG. Mr. Speaker, if the gentleman will yield, I think there is another excellent reason because of the action of the Committee on Rules today in passing out a budget control bill. By recommitting this bill to the conference again, we will be giving the country some indication as to whether we believe in budget control or whether we do not.

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

Mr. Speaker, on that very point, I tried my very best to make it clear to the House that we have made a strong effort in the conference, we worked day and night on this thing. The Members know the other body as well as I do, and that they will not accept this proposal, and that we will be just dancing around the Maypole over there if we send this back to conference with instructions. They made it very clear. It is very clear to me. If we send this back, they have no intention to do otherwise. Time is of the essence. We are going to recess on Thursday until the 26th. It will take weeks and weeks and weeks to pass this bill.

The school boards back home are screaming now, "Where is the money?" Be very careful about this. This is a $33 billion bill. Do not hang this thing up. That is not necessary. This is a $33 billion bill. Let us not get this thing mixed up in a can of worms. This is an appropriation bill.

Mr. CONTE. Mr. Speaker, this conference report represents the capstone to an enormous amount of work accomplished by both Chambers of Congress since first we received the President's budget message many months ago. It represents literally months of preparation—hearings, debates, and compromises. We have worked long and we have worked hard. We have brought out what is, basically, a good measure here.

I would like to compliment the chairman and the rest of my colleagues in the conference who labored day after day on this bill. This measure is complex; I daresay you could find no one who would like everything about it. But it remains a commendable effort. We have pared-off $469 million of the Senate increases which were written into its version of the bill. However, we are now over $110 million over the House version, and over $1.3 billion over the administration's budget request. Even in the face of what appears to be an enormous appropriations overrun, I must emphasize that this bill signifies a great deal of study. Piles of money were not heaped on to special interest projects, nor were vital programs indiscriminately axed.

It would serve little purpose to run through all the many agencies and programs funded within this bill. Suffice it to say that they run the gamut of vital and immediate initiatives affecting the lives of millions of people.

I must, however, express my discontent with two of the amendments reported here. The first is amendment No. 32 dealing with title IA funding of the Elementary and Secondary Education Act. Put as briefly as I can, it makes absolutely no sense to give school districts more funds for fewer title I children. In the decade between 1960 and 1970, many rural areas have lost population while many urban areas have gained population. This transition has carried with it a tremendous exchange of title I eligible children between the rural and urban population centers.

Although the formulation worked out in conference allows a more equitable distribution of funds that was available under the "100 percent State hold harmless" provision, it does not go as far as it could toward the targetting of these moneys to school districts which have already accepted additional title I children. This is where the money is needed the most.

Twenty-eight States are in the predicament of losing a portion of their potential funding, which should be rightfully theirs because of the emigration of eligible children into their boundaries over this past decade. These States, so disadvantaged, are represented by a total of 288 Members of the House of Representatives and 58 Members of the Senate.

I am in full concert with my colleagues in conference in looking upon this measure as purely an "interim" solution to a very complex problem. Our House Committee on Education and Labor is, at the moment, holding full committee hearings on the subject and we all anxiously await the results of their study. I would like to particularly commend the ranking minority member of that body, my good friend from Minnesota, for his tireless efforts in this regard.

I must also take exception to the drastic reductions for the National Institute of Education. I, myself, am not entirely pleased with the track record of this Agency, but I feel strongly that such displeasure should not justify the clobbering that this project took in the Senate and in conference. To slice off $68 million, to eliminate over 50 percent of the administration's request is, I believe, going the extra mile unnecessarily. I can still recall the testimony of the Director of NIE when he appeared before the House Subcommittee on Labor-Health, Education, and Welfare. He said:

> The Institute will emphasize efforts to develop methodological techniques to get at those possible problems, so that we can improve our understanding of why programs seem to work and why they seem not to work. We hope, in sum, to learn more about how to learn from our apparent failures.

It was with these thoughts in mind that I sought vainly to restore, at least, $25 million to their programs.

In total, this bill bespeaks of a conscientious effort to deal with the welfare of the American public. I think it has been an overall worthwhile effort, and I urge my colleagues to support the adoption of the conference report.

Mrs. HOLT. Mr. Speaker, I rise to express my support for the motion to recommit the conference report of H.R. 8877 with instructions to amend the formula for the distribution of funds under title I of the Elementary and Secondary Education Act.

The gentleman from Minnesota (Mr. QUIE) has proposed that the ceiling in the title I formula be increased from 115 to 120 percent with no change in the 90-percent "hold harmless" provision.

This proposed formula is, in my opinion, an equitable one which recognizes two important facts. Federal funds under the title I program should be channeled to those school districts which serve the children of low-income families. An increase in the maximum funding to 120 percent of what was received in fiscal year 1973, will aid us in achieving this objective. However, we must also bear in mind that these programs have been in operation since September. School districts which planned their programs on the basis of funds available during previous years must be protected from sudden cutbacks this late in the semester. The 90 percent floor on payments will afford such protection.

The implementation of the proposed formula will allow a gradual shift away from the 1960 census data without imposing drastic curtailment in funds for school districts which currently have programs in operation.

Mr. Speaker, Labor and HEW programs have been operating on a continuing resolution since the end of fiscal year 1972. I am sure we are all aware of the burdens this has placed on State and local governments. The unpredictability of levels of funding has seriously im-

paired their planning and programing abilities.

The conference report before us today contains sound, needed legislation. I urge that it be swiftly adopted with the modification of the title I formula.

Mr. GONZALEZ. Mr. Speaker, again the House has been confronted with the dilemma it has been facing intermittently in the case of the continuing resolution on appropriations with respect to educational programs. For several years I have been decrying our erratic and cruel way of financing the established and needed ongoing programs to provide education.

I have advocated what I call "hold harmless" provisions in the law so that administration of local school systems, as well as State agencies, will not undergo the recurring anguish of planning for a school year based on congressional authorizations that are either not forthcoming or reduced, or reneged upon. This has caused every school district in my area to raise taxes—some as high as 28 percent others to the maximum rate allowable under the constitution.

Adding to the punishment has been Presidential impoundment and confused and vengeful withdrawal from ongoing programs and commitments.

The great promise of Federal aid, visualized in the landmark legislation of the last 12 years, has turned into bitter wormwood and a gutted House of Education.

This is wrong—it is sinful. Let us correct it.

Mr. EDWARDS of California. Mr. Speaker, I join my colleagues from California in support of the motion offered by Congressmen QUIE and GIAIMO to recommit the conference report H.R. 8877 with instructions to arrive at a better allocation of ESEA, title I funds. This motion would provide the State of California with $5.5 million more than the conference report would provide to educate the thousands of new title I schoolchildren we have gained since 1960.

However, I would also like to point out that this motion has greater significance than only putting the money where the need exists—although that seems to me to be an eminently desirable goal. This measure is representative of both the urgent need for new and better ways of allocating moneys for education and the valiant efforts made by the Education and Labor Committee, particularly the General Education Subcommittee, to work out a solution to the problem. While the formula offered by Mr. QUIE and GIAIMO is certainly not the ultimate answer, it is definitely a step in the right direction. It makes no sense to provide money to States which have lost title I eligible children at the expense of States which have educational responsibilities for increased numbers of such children. I urge my colleagues therefore to join me in support of this amendment.

Mr. HANRAHAN. Mr. Speaker, the ethnic groups that have contributed so much to our national greatness deserve the opportunity to preserve the uniqueness of their individual contributions to our society. For this reason, it is imperative that a program such as the Ethnic Heritage Studies Act be implemented in America's elementary and secondary schools and institutions of higher learning.

Obviously, my colleagues agree with me that this program is important, since they passed a bill authorizing $15,000,000 to implement the studies in 1972. The fiscal year 1973 budget, however, contained no funds. Now, we have an opportunity to decide if the fiscal year 1974 budget will contain $2.5 million—a mere fraction of the original appropriation, but certainly better than no funds at all.

It is extremely important that a program such as the Ethnic Heritage Studies Act be allowed to foster a greater understanding and respect for the contributions of America's many ethnic groups.

Mr. BIAGGI. Mr. Speaker, I rise in strong opposition to the conference report to the bill H.R. 8877, and intend to vote in favor of any motion offered to recommit.

Inherent in my opposition to this report is that if it is adopted, many of our major cities and metropolitan areas stand to receive woefully inadequate funding for certain vital educational programs, with tragic consquences for the children of America.

My strongest opposition to the report is directed at amendment 32 which seeks to continue an arbitrary, archaic, and grossly outdated method of distributing funds under the title I program of the Elementary and Secondary Education Act. According to the formula in the report, no school district would be entitled to any more than 115 percent of their fiscal year 1973 title I funds.

Not only does this set an unrealistic and unnecessary ceiling on these important funds, but even more importantly, the method of determining populations as a basis for these funds continues to be computed on the 1960 census figures. By using these figures, major cities such as New York stand to be tragically underfunded due to dramatic increases in the numbers of title I children, without a matching increase in funds.

Since the motion by my distinguished colleague from Minnesota (Mr. QUIE) will be ruled nongermane to the bill, I will support a motion to recommit on the simple grounds that we must provide a fairer and more up to date method of determining the distribution of title I moneys.

I disagree with the contentions of some of my colleagues that this report represents the best possible compromise solution. I voted against the conference report to House Joint Resolution 727 speaking out in opposition to a 115-percent ceiling proposed on funds for local educational agencies contained in that measure. Those Members who did vote in favor of the report received assurances from the conferees considering the Labor-HEW appropriations bill that modifications would be made. These apparently were not done, the 115-percent ceiling remains, and I stand opposed to this report as well.

Mr. Speaker, this report should be recommitted and revised so that title I allocation formulas use the 1970 census figures. Anything less than this will represent a disgraceful compromise and sell out at the expense of the millions of poor and disadvantaged children in the United States who count on these funds to fulfill their fervent hopes for a decent education.

Mr. ECKHARDT. Mr. Speaker, the allocation proposed by Mr. QUIE would have this effect as between the have and have-not States: Of the 25 States having the highest per capita income rankings—New York, No. 1, through Wyoming, No. 25—all but 2—Nebraska and Indiana—would receive more under Mr. QUIE's allocations. Of the 25 States having the lowest per capita income rankings—Arizona, No. 26, through Mississippi, No. 50—all but 8—Arizona, Wisconsin, Virginia, New Hampshire, Montana, Utah, Maine, and New Mexico—would receive less under Mr. QUIE's amendment. Thus, the poor States would get less and the rich State more. Only 4 States under the ranking of 30th in per capita income would receive more under the Quie allocation. All the rest would be cut from the level contained in the conference report.

With the exception of Virginia—which ranks above Texas in per capita income—Texas ranks 31—every Southern State takes a cut from the level of the conference report.

Mr. Speaker, we cannot in good conscience continue to widen the gap of educational opportunity between Mississippi children and New York children. What Mississippi and Alabama lose is about what New York gains—in round numbers, $10 million. What Louisiana, the fifth poorest State loses, Connecticut, the second richest State gains—in round numbers $2.4 million. What South Carolina, West Virginia, and Kentucky lose is picked up by two of the three biggest rich States, California and Illinois—in round numbers $9.4 million.

But there is no great wonder that the Quie allocation is popular. We tend to look at a schedule of gains and losses under various formulas and vote our State's pocketbook. Again the poor, the minority, loses. For all the six biggest States except Texas gain under the Quie formula. These States alone have 154 Representatives in the House. All of the States that lose under the Quie formula together have less votes—only 126 or 29 percent of the voting strength of the House.

Federal aid to education was originally conceived as a means of equalizing educational opportunity as between children whose opportunities were low because the tax base from which their educational needs were provided was low and, on the other hand, children whose educational opportunities were high for the converse reason. That is why Senator ROBERT TAFT finally swung to the side of Federal aid to education, and the initial act was then passed because it could muster bipartisan support.

If Federal aid begins to be envisaged as a pork barrel, with each Member vying for advantage through a formula deemed most favorable to him, the whole rationale for Federal aid to education will

be undermined, and we will either rapidly return to a situation in which Federal funds will have no equalizing effect at all, or they will supplant State and local funds completely. What then happens to the local independence of our educational system?

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and insert extraneous material, in connection with the conference report on the Health, Education, and Welfare appropriations bill now under consideration.

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

There was no objection.

The SPEAKER. All time has expired.

Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the conference report.

MOTION TO RECOMMIT OFFERED BY MR. QUIE

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. QUIE. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. QUIE moves to recommit the Conference Report on H.R. 8877 to the Committee of Conference with the following instructions to the Managers on the Part of the House:

That the House recede from its disagreement to the amendment of the Senate numbered 32 and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following: "That the aggregate amounts made available to each State under title I-A of the Elementary and Secondary Education Act for grants to local educational agencies within that State shall not be more than 120 per centum of such amounts as were made available for that purpose for fiscal year 1973, and the amount made available to each local educational agency under said title I-A shall not be less than 90 per centum of the amount made available for that purpose for fiscal year 1973".

POINT OF ORDER

Mr. FLOOD. Mr. Speaker, I make a point of order against the motion to recommit.

The SPEAKER. The gentleman will state his point of order.

Mr. FLOOD. Mr. Speaker, I make the point of order against the motion to recommit on the ground that it instructs the conferees to include matter in the conference report which is not otherwise in order. This provision described in the instructions we just heard is clearly legislation on an appropriation act. Therefore, it is not eligible for inclusion in a conference report under provisions of clause 2, rule 20 and clause 2, rule 21.

The SPEAKER. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. QUIE. Yes, Mr. Speaker.

The language that I propose to instruct the conferees was language, albeit legislation on an appropriation bill, which was in both the House bill and in the Senate bill, and the language on the disagreement is language which is neither in the House bill nor the Senate bill, but an amendment itself, so I proposed it here and agree with the instructions on the language that the committee has already come back with. Therefore, it seems to me that it would be in order.

The SPEAKER. The Chair is prepared to rule.

The gentleman from Pennsylvania (Mr. FLOOD) makes a point of order that the motion to recommit with instructions is in violation of the rules of the House and is not in order.

The motion to recommit directs the House conferees to recommend that the House recede from its disagreement to Senate amendment No. 32 and concur therein with an amendment. Senate amendment No. 32 was reported from conference in disagreement because, under clause 2 of rule XX, the House conferees had no authority to agree to that amendment, since it contained legislation on an appropriation bill and would have been subject to a point of order. The Chair notes that on June 26, 1973, Chairman HOLIFIELD sustained a point of order against an amendment offered by the gentleman from Minnesota (Mr. QUIE), on the grounds that the amendment added additional legislation to legislative language which had been permitted to remain in the bill by a resolution waiving points of order.

Under the precedents of the House, a motion to instruct conferees, or to recommit a bill to conference with instructions, may not include instructions directing House conferees to do that which would be inadmissible if offered as an amendment in the House—Cannon's Precedents, volume VIII, section 3235.

The Chair would like to point out two of the syllabi in section 3235:

Instructions to managers of a conference may not direct them to do that which they might not do otherwise.

A motion to instruct conferees may not include directions which would be inadmissible if offered as a motion in the House.

In the instant situation the Chair is of the opinion that the instructions included in the motion to recommit would, if offered in the House as an amendment to the language of the Senate amendment, add legislation thereto. As was the case in Chairman HOLIFIELD's ruling of June 26, 1973, the language would constitute a change in the allotment formula contained in the language of the Senate amendment. The Chair therefore holds that the motion to recommit is not a permissible motion within the meaning of clause 2, rule XX, and sustains the point of order.

MOTION TO RECOMMIT OFFERED BY MR. MICHEL

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

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. MICHEL. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. MICHEL moves to recommit the conference report on H.R. 8877 to the committee of conference.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

RECORDED VOTE

Mr. MICHEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 272, noes 139, not voting 22, as follows:

[Roll No. 579]

AYES—272

Abzug
Addabbo
Anderson, Calif.
Anderson, Ill.
Annunzio
Archer
Arends
Armstrong
Ashbrook
Ashley
Aspin
Bafalis
Baker
Barrett
Bauman
Bell
Bennett
Biaggi
Biester
Bingham
Boland
Brasco
Bray
Brinkley
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Burgener
Burke, Fla.
Burke, Mass.
Butler
Byron
Carey, N.Y.
Cederberg
Chamberlain
Chisholm
Clancy
Clark
Clawson, Del
Clay
Cohen
Collier
Collins, Ill.
Conable
Conlan
Conyers
Corman
Cotter
Coughlin
Crane
Cronin
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Delaney
Dellenback
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Donohue
Downing
Drinan
Dulski
Duncan
du Pont
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Findley
Fish
Fisher
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Frelinghuysen
Frenzel
Frey
Gaydos
Giaimo
Gibbons
Goldwater
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gude
Guyer
Haley
Hanley
Hanna
Hanrahan
Hansen, Idaho
Harrington
Harsha
Harvey
Hawkins
Hays
Heckler, Mass.
Heinz
Helstoski
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Kastenmeier
Kemp
Ketchum
King
Koch
Kuykendall
Kyros
Landgrebe
Latta
Leggett
Long, Md.
Lujan
McClory
McCollister
McEwen
McKinney
Macdonald
Madigan
Mailliard
Martin, Nebr.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Michel
Milford
Miller
Minish
Mink
Minshall, Ohio
Mitchell, N.Y.
Moakley
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Myers
Nedzi
Nelsen
Nix
O'Brien
Owens
Parris
Patten
Pettis
Peyser
Pike
Podell
Price, Ill.
Price, Tex.
Quie
Railsback
Rangel
Rees
Regula
Reuss
Rhodes
Riegle
Rinaldo
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Roncalio, Wyo.
Roncalio, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Rousselot
Roybal
Runnels
Ruppe
Ryan
Sandman
Sarasin
Sarbanes
Satterfield
Scherle
Schneebeli
Schroeder
Seiberling
Shipley
Shoup
Shuster
Sisk
Smith, N.Y.
Snyder
Stanton, J. William
Stanton, James V.
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stratton
Stuckey
Studds
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tiernan
Towell, Nev.
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik

Veysey
Vigorito
Waldie
Walsh
Wampler
Ware
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Wolff
Wydler
Wylie
Wyman
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Ill.
Zion
Zwach

NOES—139

Abdnor
Adams
Alexander
Andrews, N.C.
Andrews, N. Dak.
Badillo
Beard
Bergland
Bevill
Blatnik
Boggs
Bowen
Brademas
Breaux
Breckinridge
Brooks
Broyhill, N.C.
Buchanan
Burleson, Tex.
Burlison, Mo.
Camp
Carney, Ohio
Carter
Casey, Tex.
Chappell
Cleveland
Cochran
Collins, Tex.
Culver
Davis, Ga.
Davis, S.C.
de la Garza
Denholm
Dingell
Dorn
Eckhardt
Evins, Tenn.
Fascell
Flood
Flowers
Flynt
Fountain
Froehlich
Fulton
Fuqua
Gettys
Gilman
Ginn
Gonzalez
Gunter
Hamilton
Hammer-schmidt
Hansen, Wash.
Hastings
Hébert
Hechler, W. Va.
Henderson
Hicks
Ichord
Jarman
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kazen
Landrum
Lehman
Litton
Long, La.
Lott
McCloskey
McCormack
McDade
McFall
McKay
McSpadden
Madden
Mahon
Mallary
Mann
Maraziti
Martin, N.C.
Mathis, Ga.
Mezvinsky
Mills, Ark.
Mitchell, Md.
Mizell
Mollohan
Montgomery
Natcher
Nichols
Obey
O'Neill
Passman
Patman
Pepper
Perkins
Pickle
Poage
Preyer
Pritchard
Quillen
Randall
Rarick
Roberts
Rogers
Rooney, N.Y.
Rose
Roush
Roy
Ruth
Sebelius
Shriver
Sikes
Skubitz
Slack
Smith, Iowa
Spence
Staggers
Stark
Stokes
Stubblefield
Taylor, N.C.
Thone
Thornton
Treen
Waggonner
Whalen
White
Whitten
Wilson, Charles, Tex.
Winn
Wright
Wyatt
Young, S.C.
Young, Tex.
Zablocki

NOT VOTING—22

Blackburn
Bolling
Burke, Calif.
Burton
Clausen, Don H.
Conte
Danielson
Davis, Wis.
Dellums
Fraser
Gubser
Keating
Kluczynski
Lent
Mathias, Calif.
Murphy, N.Y.
O'Hara
Powell, Ohio
Reid
St Germain
Steed
Stephens

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. Murphy of New York with Mr. Danielson.
Mr. Conte with Mr. Lent.
Mr. Reid with Mr. Gubser.
Mr. O'Hara with Mr. Don H. Clausen.
Mr. Dellums with Mr. Fraser.
Mr. Burton with Mr. Davis of Wisconsin.
Mrs. Burke of California with Mr. St Germain.
Mr. Kluczynski with Mr. Blackburn.
Mr. Stephens with Mr. Steed.
Mr. Powell of Ohio with Mr. Mathias of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1081) entitled "An act to authorize the Secretary of the Interior to grant rights-of-way across Federal lands where the use of such rights-of-way is in the public interest and the applicant for the right-of-way demonstrates the financial and technical capability to use the right-of-way in a manner which will protect the environment."

PERMISSION TO FILE CONFERENCE REPORT ON S. 2408, THE MILITARY CONSTRUCTION AUTHORIZATION BILL

Mr. PIKE. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on S. 2408, the military construction authorization bill.

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

There was no objection.

CONFERENCE REPORT (H. REPT. NO. 93-634)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2408) to authorize certain construction at military installations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment for the following acquisition and construction:

INSIDE THE UNITED STATES

UNITED STATES CONTINENTAL ARMY COMMAND

(First Army)

Fort Belvoir, Virginia, $2,525,000.
Fort Devens, Massachusetts, $2,749,000.
Camp Drum, New York, $1,099,000.
Fort Eustis, Virginia, $4,782,000.
Camp A. P. Hill, Virginia, $535,000.
Indiantown Gap Military Reservation, Pennsylvania, $1,657,000.
Fort Knox, Kentucky, $7,305,000.
Fort Lee, Virginia, $18,326,000.
Fort George G. Meade, Maryland, $5,924,000.
Camp Pickett, Virginia, $476,000.

(Third Army)

Fort Benning, Georgia, $12,404,000.
Fort Bragg, North Carolina, $32,400,000.
Fort Campbell, Kentucky, $51,881,000.
Eglin Air Force Base, Valparaiso, Florida, $2,950,000.
Fort Gordon, Georgia, $23,154,000.
Fort Jackson, South Carolina, $2,902,000.
Fort McClellan, Alabama, $19,505,000.
Fort Rucker, Alabama, $3,987,000.
Fort Stewart, Georgia, $264,000.

(Fifth Army)

Fort Bliss, Texas, $6,087,000.
Fort Benjamin Harrison, Indiana, $3,893,000.
Fort Hood, Texas, $9,824,000.
Fort Sam Houston, Texas, $11,738,000.
Fort Polk, Louisiana, $29,276,000.
Fort Riley, Kansas, $30,943,000.
Fort Sheridan, Illinois, $762,000.
Fort Sill, Oklahoma, $9,447,000.
Fort Leonard Wood, Missouri, $44,482,000.

(Sixth Army)

Fort Carson, Colorado, $5,651,000.
Hunter-Liggett Military Reservation, California, $7,776,000.
Fort Lewis, Washington, $8,327,000.
Fort Ord, California, $9,812,000.
Presidio of San Francisco, California, $3,074,000.

UNITED STATES ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland, $7,472,000.
Aeronautical Maintenance Center, Texas, $6,284,000.
Anniston Army Depot, Alabama, $3,745,000.
Frankford Arsenal, Pennsylvania, $73,000.
Fort Monmouth, New Jersey, $8,401,000.
Natick Laboratories, Massachusetts, $466,000.
Picatinny Arsenal, New Jersey, $255,000.
Pine Bluff Arsenal, Arkansas, $294,000.
Redstone Arsenal, Alabama, $4,971,000.
Sacramento Army Depot, California, $412,000.
Savanna Army Depot, Illinois, $113,000.
Sierra Army Depot, California, $380,000.
Tobyhanna Army Depot, Pennsylvania, $456,000.
White Sands Missile Range, New Mexico, $3,843,000.
Yuma Proving Ground, Arizona, $6,472,000.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Fort Huachuca, Arizona, $6,832,000.
Fort Ritchie, Maryland, $1,394,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York, $30,145,000.

CORPS OF ENGINEERS

Cold Regions Laboratories, New Hampshire, $597,000.

MILITARY TRAFFIC MANAGEMENT AND TERMINAL SERVICE

Oakland Army Terminal, California, $343,000.
Sunny Point Army Terminal, North Carolina, $1,628,000.

UNITED STATES ARMY, ALASKA

Fort Greely, Alaska, $3,060,000.
Fort Richardson, Alaska, $2,140,000.
Fort Wainwright, Alaska, $2,715,000.

UNITED STATES ARMY, HAWAII

Schofield Barracks, Hawaii, $9,592,000.
Fort Shafter, Hawaii, $1,233,000.

POLLUTION ABATEMENT

Various locations, Air Pollution Abatement, $7,295,000.
Various locations, Water Pollution Abatement, $6,799,000.

OUTSIDE THE UNITED STATES

UNITED STATES ARMY FORCES, SOUTHERN COMMAND

Canal Zone, various locations, $8,095,000.

UNITED STATES ARMY, PACIFIC

Korea, various locations, $1,568,000.

PUERTO RICO

Fort Buchanan, Puerto Rico, $517,000.

KWAJALEIN MISSILE RANGE

National Missile Range, $1,029,000.

UNITED STATES ARMY SECURITY AGENCY

Various locations, $1,434,000.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Various locations, $2,097,000.

UNITED STATES ARMY, EUROPE

Germany, various locations, $12,517,000.

Various locations: For the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations, including in-

ternational military headquarters, for the collective defense of the North Atlantic Treaty Area, $80,000,000: Provided, That, within thirty days after the end of each quarter, the Secretary of the Army shall furnish to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a description of obligations incurred as the United States share of such multilateral programs.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $3,000,000.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules if the Secretary of Defense determines that deferral of such constuction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: Provided, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 104. (a) Public Law 92–545 is amended under the heading "INSIDE THE UNITED STATES," in section 101 as follows:

With respect to "Military Ocean Terminal, Bayonne, New Jersey," strike out "$3,245,000" and insert in place thereof "$3,603,000."

With respect to "Walter Reed Army Medical Center, District of Columbia," strike out "$13,161,000" and insert in place thereof "$15,866,000".

(b) Public Law 92–545 is amended under the heading "OUTSIDE THE UNITED STATES—UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND" in section 101 as follows: with respect to "Various Locations," strike out "$1,412,000" and insert in place thereof "$1,649,000".

(c) Public Law 92–545 is amended by striking out in clause (1) of section 702 "$441,704,000"; "$117,074,000"; and "$558,778,000" and inserting in place thereof "$444,767,000"; "$117,311,000"; and "$562,078,000," repectively.

SEC. 105. (a) Public Law 92–145, as amended, is amended under the heading "OUTSIDE THE UNITED STATES" in section 101 as follows:

With respect to "Germany, Various Locations," strike out "$1,946,000" and insert in place thereof "$2,553,000".

(b) Public Law 92–145, as amended, is amended by striking out in clause (1) of section 702 "$41,374,000" and "$404,500,000" and inserting in place thereof "$41,981,000" and "$405,107,000", respectively.

SEC. 106. (a) Public Law 91–511, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 101 as follows: With respect to "Fort Benning, Georgia", strike out "$2,855,000" and insert in place thereof "$3,383,000".

(b) Public Law 91–511, as amended, is amended by striking out in clause (1) of section 602 "$181,306,000" and "$266,503,000" and inserting in place thereof "$181,834,000" and "$267,031,000", respectively.

SEC. 107. (a) Public Law 90–110, as amended, is amended under the heading "UNITED STATES ARMY, ALASKA" in section 101 as follows: With respect to "Fort Richardson, Alaska," strike out "$1,800,000" and insert in place thereof "$2,100,000".

(b) Public Law 90–110, as amended, is amended by striking out in clause (1) of section 802 "$288,055,000" and "$391,448,000" and inserting in place thereof "$288,355,000" and "$391,748,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment for the following acquisition and construction:

INSIDE THE UNITED STATES

FIRST NAVAL DISTRICT

Naval Air Station, Brunswick, Maine, $135,000.

Portsmouth Naval Shipyard, Portsmouth, Kittery, Maine, $2,817,000.

THIRD NAVAL DISTRICT

Naval Submarine Base, New London, Connecticut, $6,158,000.

Naval Underwater Systems Center, New London Laboratory, New London, Connecticut, $3,600,000.

Military Ocean Terminal, Bayonne, New Jersey, $1,806,000.

FOURTH NAVAL DISTRICT

Philadelphia Naval Shipyard, Philadelphia, Pennsylvania, $180,000.

Naval Air Development Center, Warminster, Pennsylvania, $215,000.

NAVAL DISTRICT, WASHINGTON

Naval Research Laboratory, Washington, District of Columbia, $4,655,000.

Naval Academy, Annapolis, Maryland, $4,334,000.

Naval Medical Research Institute, Bethesda, Maryland, $6,372,000.

Naval Ordnance Station, Indian Head, Maryland, $1,528,000.

Naval Air Test Center, Patuxent River, Maryland, $560,000.

Naval Hospital, Quantico, Virginia, $484,000.

FIFTH NAVAL DISTRICT

Fleet Combat Direction Systems Training Center, Atlantic, Dam Neck, Virginia, $6,581,000.

Naval Amphibious Base, Little Creek, Virginia, $3,211,000.

Naval Air Station, Norfolk, Virginia, $2,525,000.

Naval Station, Norfolk, Virginia, $18,183,000.

Navy Public Works Center, Norfolk, Virginia, $567,000.

Nuclear Weapons Training Group, Atlantic, Norfolk, Virginia, $2,470,000.

Naval Air Station, Oceana, Virginia, $3,386,000.

Norfolk Naval Shipyard, Portsmouth, Virginia, $11,133,000.

Naval Weapons Station, Yorktown, Virginia, $1,327,000.

SIXTH NAVAL DISTRICT

Naval Air Station, Cecil Field, Florida, $3,636,000.

Naval Air Station, Ellyson Field, Florida, $75,000.

Naval Air Station, Jacksonville, Florida, $14,366,000.

Naval Training Center, Orlando, Florida, $4,628,000.

Naval Coastal Systems Laboratory, Panama City, Florida, $3,663,000.

Naval Air Station, Pensacola, Florida, $2,699,000.

Naval Communications Training Center, Pensacola, Florida, $10,690,000.

Naval Air Station, Whiting Field, Florida, $3,586,000.

Naval Aerospace Regional Medical Center, Pensacola, Florida, $1,084,000.

Naval Home, Gulfport, Mississippi, $9,444,000.

Naval Air Station, Meridian, Mississippi, $4,532,000.

Charleston Naval Shipyard, Charleston, South Carolina, $252,000.

Naval Station, Charleston, South Carolina, $1,498,000.

Naval Air Station, Memphis, Tennessee, $4,478,000.

EIGHTH NAVAL DISTRICT

Naval Hospital, New Orleans, Louisiana, $3,386,000.

Naval Support Activity, New Orleans, Louisiana, $13,880,000.

Naval Air Station, Chase Field, Texas, $2,875,000.

Naval Air Station, Kingsville, Texas, $3,040,000.

NINTH NAVAL DISTRICT

Naval Complex, Great Lakes, Illinois, $15,148,000.

ELEVENTH NAVAL DISTRICT

Naval Weapons Center, China Lake, California, $3,163,000.

Long Beach Naval Shipyard, Long Beach, California, $6,808,000.

Naval Hospital, Long Beach, California, $878,000.

Naval Air Station, Miramar, California, $1,454,000.

Naval Air Station, North Island, California, $2,415,000.

Fleet Combat Direction Systems Training Center, Pacific, San Diego, California, $1,118,000.

Naval Electronics Laboratory Center, San Diego, California, $3,518,000.

Naval Station, San Diego, California, $11,996,000.

Naval Training Center, San Diego, California, $2,944,000.

Navy Public Works Center, San Diego, California, $2,471,000.

Navy Submarine Support Facility, San Diego, California, $3,920,000.

Naval Weapons Station, Seal Beach, California, $807,000.

TWELFTH NAVAL DISTRICT

Naval Air Station, Alameda, California, $3,827,000.

Naval Air Station, Lemoore, California, $3,266,000.

Naval Air Station, Moffett Field, California, $3,150,000.

Naval Hospital, Oakland, California, $5,839,000.

Mare Island Naval Shipyard, Vallejo, California, $1,874,000.

THIRTEENTH NAVAL DISTRICT

Naval complex, Adak, Alaska, $4,615,000.

Puget Sound Naval Shipyard, Bremerton, Washington, $2,300,000.

FOURTEENTH NAVAL DISTRICT

Naval Air Station, Barbers Point, Hawaii, $4,306,000.

Naval Ammunition Depot, Oahu, Hawaii, $457,000.

Naval Station, Pearl Harbor, Hawaii, $4,060,000.

Naval Submarine Base, Pearl Harbor, Hawaii, $2,562,000.

Navy Public Works Center, Pearl Harbor, Hawaii, $1,985,000.

Naval Communication Station, Honolulu, Wahiawa, Hawaii, $2,324,000.

MARINE CORPS

Marine Corps Air Station, Quantico, Virginia, $831,000.

Marine Corps Development and Education Command, Quantico, Virginia, $1,541,000.

Marine Corps Base, Camp Lejeune, North Carolina, $8,902,000.

Marine Corps Air Station, Cherry Point, North Carolina, $1,821,000.

Marine Corps Air Station, New River, North Carolina, $3,245,000.

Fleet Marine Force Atlantic, Norfolk, Virgina, $686,000.

Marine Corps Supply Center, Albany, Georgia, $5,204,000.

Marine Corps Air Station, Beaufort, South Carolina, $126,000.

Marine Corps Recruit Depot, Parris Island, South Carolina, $2,580,000.

Marine Corps Air Station, Yuma, Arizona, $1,634,000.

Marine Corps Supply Center, Barstow, California, $3,802,000.

Marine Corps Base, Camp Pendleton, California, $10,920,000.

Marine Corps Air Station, El Toro, California, $747,000.

Marine Corps Recruit Depot, San Diego, California, $3,825,000.

Marine Corps Base, Twentynine Palms, California, $2,992,000.

Marine Corps Air Station, Kaneohe Bay, Hawaii, $5,988,000.

TRIDENT FACILITIES

Various Locations, Trident Facilities, United States, $118,320,000.

POLLUTION ABATEMENT

Various Locations, Air Pollution Abatement, $27,636,000.

Various Locations, Water Pollution Abatement, $51,112,000.

OUTSIDE THE UNITED STATES

TENTH NAVAL DISTRICT

Naval Complex, Puerto Rico, $1,707,000.

Naval Facility, Grand Turk, the West Indies, $1,145,000.

ATLANTIC OCEAN AREA

Naval Air Station, Bermuda, $3,010,000.

Naval Complex, Guantanamo Bay, Cuba, $8,376,000.

Naval Station, Keflavik, Iceland, $6,092,000.

EUROPEAN AREA

Naval Support Office, Athens, Greece, $1,948,000.

Naval Detachment, Souda Bay, Crete, Greece, $4,153,000.

Naval Air Facility, Sigonella, Sicily, Italy, $3,086,000.

Naval Security Group Activity, Edzell, Scotland, $778,000.

Naval Station, Rota, Spain, $85,000.

PACIFIC OCEAN AREA

Naval Communication Station, Harold E. Holt, Exmouth, Australia, $1,192,000.

Naval Complex, Guam, Mariana Islands, $10,988,000.

Naval Complex, Subic Bay, Republic of the Philippines, $278,000.

POLLUTION ABATEMENT

Various Locations, Water Pollution Abatement, $3,995,000.

SEC. 202. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permament or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000; *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 203. The Secretary of the Navy is authorized to acquire, under such terms as he deems appropriate, lands or interests in land (including easements) in approximately fourteen thousand acres of privately owned property contiguous to the airfield and approach corridors of the Marine Corps Air Station at Yuma, Arizona, as he considers necessary for the safe and efficient operations at such station. Acquisition of such land or interests in land shall be effected by the exchange of such excess land or interests in land of approximately equal value, as the Secretary of Defense may determine to be available for the purpose. If the fair market value of the land or interests in land to be acquired is less than the fair market value of the Government property to be exchanged, the amount of such deficiency shall be paid to the Government.

SEC. 204. (a) In order to facilitate the relocation of the ship-to-shore and other gun fire and bombing operations of the United States Navy from the island of Culebra, there is hereby authorized to be appropriated the sum of $12,000,000 for the construction and equipage of substitute facilities in support of such relocation.

(b) The relocation of such operations from the northwest peninsula of the island of Culebra is expressly conditioned upon the conclusion of a satisfactory agreement to be negotiated by the Secretary of the Navy, or his designee, with the Commonwealth of Puerto Rico and reported to the Committees on Armed Services of the Senate and the House of Representatives prior to execution of such agreement. The agreement shall provide, among other things, that the Commonwealth of Puerto Rico shall insure that (1) Commonwealth lands suitable for carrying out operations of the type referred to in subsection (a) will be made available for the long term continued use of the Atlantic Fleet Weapons Range and Fleet Marine Forces training areas by the Navy, including, but not limited to, present areas and facilities on the island of Vieques, and (2) any proposed facility or activity which would interfere with the Navy training mission will not be undertaken, including the proposed deep water super-port on the island of Mona, in the event that such agreement includes the use by the Navy of such island or the area adjacent to such island.

(c) Notwithstanding any other provisions of law, the present bombardment area on the island of Culebra shall not be utilized for any purpose that would require decontamination at the expense of the United States. Any lands sold, transferred, or otherwise disposed of by the United States as a result of the relocation of the operations referred to in subsection (a) may be sold, transferred, or otherwise disposed of only for public park or public recreational purposes.

(d) The funds authorized for appropriation by this section shall remain available until expended.

SEC. 205. (a) Public Law 90-408, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows: With respect to Navy Mine Defense Laboratory, Panama City, Florida, strike out "$7,411,000" and insert in place thereof "$9,397,000".

(b) Public Law 90-408, as amended, is amended by striking out in clause (2) of section 802, "$239,682,000" and "$246,547,000" and inserting in place thereof "$241,668,000" and "$248,533,000", respectively.

SEC. 206. (a) Public Law 91-511, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows: With respect to Naval Weapons Laboratory, Dahlgren, Virginia, strike out "$530,000" and insert in place thereof "$779,000".

(b) Public Law 91-511, as amended, is amended by striking out in clause (2) of section 602 "$246,955,000" and "$274,093,000" and inserting in place thereof "$247,204,000" and "$274,342,000", respectively.

SEC. 207. (a) Public Law 92-145 is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows:

With respect to Naval Station, Norfolk, Virginia, strike out "$19,316,000" and insert in place thereof "$22,716,000".

With respect to Naval Air Station, Meridian, Mississippi, strike out "$3,266,000" and insert in place thereof "$3,859,000".

(b) Public Law 92-145 is amended by striking out in clause (2) of section 702 "$266,068,000" and "$321,843,000" and inserting in place thereof "$270,061,000" and "$325,836,000", respectively.

SEC. 208. (a) Public Law 92-545 is amended under the heading "INSIDE THE UNITED STATES" in section 201 as follows: With respect to Naval Ammunition Depot, McAlester, Oklahoma, strike out "$6,336,000" and insert in place thereof "$8,778,000".

With respect to Naval Air Station, Miramar, California, strike out "$4,372,000" and insert in place thereof "$5,144,000".

(b) Public Law 92-545 is amended by striking out in clause (2) of section 702 "$474,450,000" and "$515,667,000" and inserting in place thereof "$477,664,000" and "$518,881,000", respectively.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction:

INSIDE THE UNITED STATES

AEROSPACE DEFENSE COMMAND

Peterson Field, Colorado Springs, Colorado, $7,843,000.

Tyndall Air Force Base, Panama City, Florida, $1,020,000.

AIR FORCE COMMUNICATIONS SERVICE

Richards-Gebaur Air Force Base, Grandview, Missouri, $3,963,000.

AIR FORCE LOGISTICS COMMAND

Hill Air Force Base, Ogden, Utah, $8,343,000.

Kelly Air Force Base, San Antonio, Texas, $6,101,000.

McClellan Air Force Base, Sacramento, California, $2,572,000.

Robins Air Force Base, Warner Robins, Georgia, $4,628,000.

Tinker Air Force Base, Oklahoma City, Oklahoma, $11,787,000.

Wright-Patterson Air Force Base, Dayton, Ohio, $13,277,000.

AIR FORCE SYSTEMS COMMAND

Edwards Air Force Base, Muroc, California, $889,000.

Eglin Air Force Base, Valparaiso, Florida, $7,039,000.

Satellite Control Facilities, $654,000.

AIR TRAINING COMMAND

Keesler Air Force Base, Biloxi, Mississippi, $8,786,000.

Lackland Air Force Base, San Antonio, Texas, $6,509,000.

Laughlin Air Force Base, Del Rio, Texas, $4,635,000.

Lowry Air Force Base, Denver, Colorado, $20,350,000.

Mather Air Force Base, Sacramento, California, $310,000.

Randolph Air Force Base, San Antonio, Texas, $1,463,000.

Reese Air Force Base, Lubbock, Texas, $4,211,000.

Sheppard Air Force Base, Wichita Falls, Texas, $2,753,000.

Vance Air Force Base, Enid, Oklahoma, $371,000.

Webb Air Force Base, Big Spring, Texas, $3,154,000.

Williams Air Force Base, Chandler, Arizona, $347,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Fairbanks, Alaska, $1,557,000.

Various Locations, $7,101,000.

HEADQUARTERS COMMAND

Andrews Air Force Base, Camp Springs, Maryland, $16,639,000.

Bolling Air Force Base, Washington, District of Columbia, $1,500,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Altus, Oklahoma, $1,078,000.

Dover Air Force Base, Dover, Delaware, $2,558,000.

McGuire Air Force Base, Wrightstown, New Jersey, $1,698,000.

Norton Air Force Base, San Bernardino, California, $1,283,000.

Scott Air Force Base, Belleville, Illinois, $3,092,000.

PACIFIC AIR FORCES

Hickam Air Force Base, Honolulu, Hawaii, $7,331,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Shreveport, Louisiana, $1,200,000.

Davis-Monthan Air Force Base, Tucson, Arizona, $232,000.

Dyess Air Force Base, Abilene, Texas, $730,000.

Ellsworth Air Force Base, Rapid City, South Dakota, $514,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming, $5,834,000.

Grissom Air Force Base, Peru, Indiana, $1,500,000.

Kincheloe Air Force Base, Kinross, Michigan, $2,430,000.

Malmstrom Air Force Base Great Falls, Montana, $1,507,000.

McConnell Air Force Base, Wichita, Kansas, $1,042,000.

Offutt Air Force Base, Omaha, Nebraska, $617,000.

Pease Air Force Base, Portsmouth, New Hampshire, $526,000.

Plattsburgh Air Force Base, Plattsburgh, New York, $286,000.

Vandenberg Air Force Base, Lompoc, California, $220,000.

Whiteman Air Force Base, Knob Noster, Missouri, $3,892,000.

Wurtsmith Air Force Base, Oscoda, Michigan, $616,000

Various Locations, $1,988,000.

TACTICAL AIR COMMAND

Bergstrom Air Force Base, Austin, Texas, $2,273,000.

Cannon Air Force Base, Clovis, New Mexico, $162,000.

England Air Force Base, Alexandria, Louisiana, $183,000.

Holloman Air Force Base, Alamogordo, New Mexico, $1,524,000.

Langley Air Force Base, Hampton, Virginia, $503,000.

Little Rock Air Force Base, Little Rock, Arkansas, $1,165,000.

Luke Air Force Base, Glendale, Arizona, $2,986,000.

MacDill Air Force Base, Tampa, Florida, $2,657,000.

Mountain Home Air Force Base, Mountain Home, Idaho, $253,000.

Nellis Air Force Base, Las Vegas, Nevada, $2,588,000.

Shaw Air Force Base, Sumter, South Carolina, $2,501,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado Springs, Colorado, $483,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Goodfellow Air Force Base, San Angelo, Texas, $6,115,000.

POLLUTION ABATEMENT

Various Locations, Air Pollution Abatement, $3,689,000.

Various Locations, Water Pollution Abatement, $5,381,000.

AIR INSTALLATION COMPATIBLE USE ZONES

Various Locations, $18,000,000.

OUTSIDE THE UNITED STATES

AIR DEFENSE COMMAND

Naval Station Keflavik, Iceland, $1,355,000.

PACIFIC AIR FORCES

Various Locations, $7,950,000.

UNITED STATES AIR FORCES IN EUROPE

Germany, $5,181,000.

United Kingdom, $3,788,000.

Various Locations, $800,000.

UNITED STATES AIR FORCE SOUTHERN COMMAND

Howard Air Force Base, Canal Zone, $927,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Various Locations, $221,000.

POLLUTION ABATEMENT

Various Locations, Water Pollution Abatement, $750,000.

WORLDWIDE COMMUNICATIONS

Various Locations, $330,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $1,000,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the amount of $10,000,000; *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. (a) Section 301 of Public Law 92-145 is amended under the heading "INSIDE THE UNITED STATES" as follows: Under the subheading "STRATEGIC AIR COMMAND" with respect to Malmstrom Air Force Base, Great Falls, Montana, strike out "$522,000" and insert in place thereof "$735,000".

(b) Public Law 92-145 is further amended by striking out in clause (3) of section 702 "$226,484,000" and "$247,347,000" and inserting in place thereof "$226,697,000" and "$247,560,000", respectively.

SEC. 305. (a) Public Law 92-545 is amended under the heading "INSIDE THE UNITED STATES" in section 301 as follows:

With respect to Keesler Air Force Base, Biloxi, Mississippi, strike out "$4,454,000" and insert in place thereof "$5,654,000".

(b) Public Law 92-545 is amended under the heading "OUTSIDE THE UNITED STATES," in section 301 as follows: Under the subheading "UNITED STATES AIR FORCES IN EUROPE" with respect to Germany, strike out "$11,422,000" and insert in place thereof "$18,755,000".

(c) Public Law 92-545 is amended by striking out in clause (3) of section 702 "$232,925,000"; "$32,565,000"; and "$284,150,000" and inserting in place thereof "$234,125,000"; "$39,898,000"; and "$292,683,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, for defense agencies of the following acquisition and construction:

DEFENSE NUCLEAR AGENCY

Kirtland Air Force Base, Albuquerque, New Mexico, $374,000.

Atomic Energy Commission Nevada Test Site, Las Vegas, Nevada, $200,000.

DEFENSE SUPPLY AGENCY

Defense Construction Supply Center, Columbus, Ohio, $1,188,000.

Defense Depot, Mechanicsburg, Pennsylvania, $2,048,000.

Defense Depot, Memphis, Tennessee, $360,000.

Defense Depot, Ogden, Utah, $250,000.

Defense Depot, Tracy, California, $757,000.

Defense General Supply Center, Richmond, Virginia, $2,653,000.

Defense Logistics Services Center, Battle Creek, Michigan, $160,000.

Defense Personnel Support Center, Philadelphia, Pennsylvania, $560,000.

Regional Office, Defense Contract Administration Services, Chicago, Illinois, $404,000.

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland, $8,156,000.

TITLE V—MILITARY FAMILY HOUSING AND HOMEOWNERS ASSISTANCE PROGRAM

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and mobile home facilities in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Secretary of the Department of Housing and Urban Development, as to the availability of adequate private housing at such locations. If agreement cannot be reached with respect to the availability of adequate private housing at any location, the Secretary of Defense shall immediately notify the Committees on Armed Services of the Senate and the House of Representatives, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

(a) Family housing units:

(1) The Department of the Army, five thousand three-hundred sixty-nine units, $153,170,000.

Fort Carson, Colorado, two hundred units.

Eglin Air Force Base, Florida, twenty-five units.

United States Army Installation, Oahu, Hawaii, six hundred units.

Fort Riley, Kansas, nine hundred one units.

Fort Campbell, Kentucky, one thousand units.

Fort Polk, Louisiana, five hundred units.

Fort Bragg/Pope Air Force Base, North Carolina, one hundred thirty-six units.

Tobyhanna Army Depot, Pennsylvania, eighty-six units.

Fort Hood, Texas, nine hundred units.

Red River Army Depot, Texas, twenty-one units.

Fort Belvoir, Virginia, seven hundred units.

Fort Eustis, Virginia, three hundred units.

(2) The Department of the Navy, three thousand six hundred ten units, $109,397,000.

Marine Corps Base, Camp Pendleton, California, eight hundred units.

Naval Complex, San Diego, California, three hundred twenty-five units.

Marine Corps Base, Twentynine Palms, California, two hundred units.

Naval Station, Mayport, Florida, four hundred units.

Naval Complex, Oahu, Hawaii, four hundred units.

Naval Complex, New Orleans, Louisiana, one hundred units.

Construction Battalion Center, Gulfport, Mississippi, one hundred units.

Naval Home, Gulfport, Mississippi, five units.

Naval Complex, South Philadelphia, Pennsylvania, three hundred fifty units.

Naval Complex, Charleston, South Carolina, two hundred seventy units.

Naval Complex, Guam, Marianas Islands, five hundred ten units.

Naval Station, Keflavik, Iceland, one hundred fifty units.

(3) The Department of the Air Force, one thousand seven hundred units, $52,646,000.

Blytheville Air Force Base, Arkansas, one hundred units.

Avon Park Weapons Range, Florida, fifty units.

Eglin Air Force Base, Florida, two hundred fifty units.

United States Air Force Installations, Oahu, Hawaii, four hundred units.

Andrews Air Force Base, Maryland, three hundred units.

Grand Forks Air Force Base, North Dakota, one hundred units.

Sheppard Air Force Base, Texas, two hundred units.

Andersen Air Force Base, Guam, Marianas Islands, three hundred units.

(b) Mobile home facilities:

(1) The Department of the Army, eight hundred twenty-five spaces, $3,300,000.

(2) The Department of the Navy, one hundred spaces, $400,000.

(3) The Department of the Air Force, four hundred fifteen spaces, $2,000,000.

SEC. 502. (a) Authorization for the construction of family housing provided in this Act shall be subject, under such regulations as the Secretary of Defense may prescribe, to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures.

(b) The average unit cost for each military department for all units of family housing constructed in the United States (other than Hawaii and Alaska) shall not exceed $27,500 including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(c) No family housing unit in the area specified in subsection (b) shall be constructed at a total cost exceeding $44,000 including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(d) When family housing units are constructed in areas other than that specified in subsection (b) the average cost of all such units shall not exceed $37,000 and in no event shall the cost of any unit exceed $44,000. The cost limitations of this subsection shall include the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 503. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions or extensions not otherwise authorized by law, to existing public quarters at a cost of not to exceed—

(1) for the Department of the Army, $28,160,000.

(2) for the Department of the Navy, $10,600,000.

(3) for the Department of the Air Force, $23,750,000.

SEC. 504. Notwithstanding the limitations contained in prior Military Construction Authorization Acts on cost of construction of family housing, the limitations on such cost contained in section 502 of this Act shall apply to all prior authorizations for construction of family housing not heretofore repealed and for which construction contracts have not been executed prior to the date of enactment of this Act.

SEC. 505. The Secretary of Defense or his designee, is authorized to construct, or otherwise acquire, in foreign countries, twelve family housing units. This authority shall include the authority to acquire land and interests in land. The authorization contained in this section shall not be subject to the cost limitations set forth in section 502 of this Act, but the cost shall not exceed a total of $520,000 for all units nor $60,000 for any one unit, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilites.

SEC. 506. (a) Section 610(a) of Public Law 90-110 (81 Stat. 279, 305), as amended, is amended to read as follows:

"(a) None of the funds authorized by this or any other Act may be expended for the improvement of any single family housing unit, or for the improvement of two or more housing units when such units are to be converted into or used as a single family housing unit, the costs of which exceed $15,000 per unit including costs of repairs undertaken in connection therewith, and including any costs in connection with (1) the furnishing of electricity, gas, water and sewage disposal; (2) roads and walks; and (3) grading and drainage, unless such improvement in connection with such unit or units is specifically authorized by law. As used in this section the term 'improvement' includes alteration, expansion, extension, or rehabilitation of any housing unit or units, including that maintenance and repair which is to be accomplished concurrently with an improvement project. The provisions of this section shall not apply to projects authorized for restoration or replacement of housing units damaged or destroyed."

(b) The Secretary of Defense, or his designee, is authorized to accomplish repairs and improvements to existing public quarters in amounts in excess of the $15,000 limitation prescribed in section 610(a) of Public Law 90-110 as follows:

Elmendorf Air Force Base, Alaska, one unit, $35,800.

Marine Corps Base, Twentynine Palms, California, one unit, $17,000.

Fort McNair, Washington, District of Columbia, five units, $165,000.

Naval Complex, New Orleans, Louisiana, four units, $119,600.

Ramstein Air Base, Federal Republic of Germany, one unit, $26,500.

SEC. 507. (a) Section 515 of Public Law 84-161 (69 Stat. 324, 352), as amended, is further amended to read as follows:

"SEC. 515. During fiscal years 1974 and 1975, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities for assignment as public quarters to military personnel and their dependents, without rental charge, at or near any military installation in the United States, Puerto Rico, or Guam if the Secretary of Defense, or his designee, finds that there is a lack of adequate housing at or near such military installation and that (1) there has been a recent substantial increase in military strength and such increase is temporary, or (2) the permanent military strength is to be substantially reduced in the near future, or (3) the number of military personnel assigned is so small as to make the construction of family housing uneconomical, or (4) family housing is required for personnel attending service school academic courses on permanent change of station orders, or (5) family housing has been authorized but is not yet completed or a family housing authorization request is in a pending military construction authorization bill. Such housing facilities may be leased on an individual unit basis and not more than ten thousand such units may be so leased at any one time. Expenditures for the rental of such housing facilities, including the cost of utilities and maintenance and operation, may not exceed: For the United States (other than Hawaii), Puerto Rico, and Guam an average of $210 per month for each military department, or the amount of $290 per month for any one unit; and for Hawaii, an average of $255 per month for each military department, or the amount of $300 per month for any one unit."

(b) The average unit rental for Department of Defense family housing acquired by lease in foreign countries may not exceed $325 per month for the Department and in no event shall the rental for any one unit exceed $625 per month, including the costs of operation, maintenance, and utilities; and not more than seven thousand five hundred family housing units may be so leased at any one time. The Secretary of Defense, or his designee, may waive these cost limitations for not more than three hundred units leased for: incumbents of special positions, personnel assigned to Defense Attaché Offices, or in countries where excessive costs of housing would cause undue hardship on Department of Defense personnel.

SEC. 508. Section 507 of Public Law 88-174 (77 Stat. 307, 326), as amended, is further amended to read as follows:

"SEC. 507. For the purpose of providing military family housing in foreign countries, the Secretary of Defense is authorized to enter into agreements guaranteeing the builders or other sponsors of such housing a rental return equivalent to a specified portion of the annual rental income which the builders or other sponsors would receive from the tenants if the housing were fully occupied: *Provided*, That the aggregate amount guaranteed under such agreements entered into during the fiscal years 1974 and 1975 shall not exceed such amount as may be applicable to five thousand units: *Provided further*, That no such agreement shall guarantee the payment of more than 97 per centum of the anticipated rentals, nor shall any guarantee extend for a period of more than ten years, nor shall the average guaranteed rental on any project exceed $275 per unit per month, including the cost of maintenance and operation."

SEC. 509. (a) Chapter 159 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"Section 2684. Construction of family quarters; limitations on space

"(a) In the construction of family quarters for members of the Armed Forces, the following are the maximum space limitations:

"Pay grade:	Number of bedrooms	Net floor area (square feet)
0-7 and above	4	2,100
0-6	4	1,700
0-4 and 0-5	4	1,550
	3	1,400

0-1 through 0-3; W-1 through W-4; and E-7 through E-9	5	1,550
	4	1,450
	3	1,350
	2	950
E-1 through E-6	5	1,550
	4	1,350
	3	1,200
	2	950

As used in this section 'net floor area' means the space inside the exterior walls, excluding: basement; service space instead of basement; attic; garage; carport; porches; and stairwells.

"(b) The maximum limitations prescribed by subsection (a) are increased by 10 per centum for quarters of the commanding officer of any station, air base, or other installation, based on the grade authorized for that position.

"(c) The maximum limitations for family quarters constructed for key and essential civilian personnel are the same, as those for military personnel of comparable grade, as determined by the Secretary of Defense.

"(d) The maximum net floor area prescribed by subsection (a) may be increased up to 5 per centum if the Secretary of Defense, or his designee, determines that such increase is in the best interest of the Government to permit award of a turnkey construction project to the contractor offering the most satisfactory proposal. Any increase made under subsection (b) when combined with an increase under this subsection may not exceed an aggregate of 10 per centum."

(b) The analysis of such chapter 159 is amended by adding at the end thereof the following:

"2684. Construction of family quarters; limitations on space."

(c) Chapter 449 of title 10, United States Code, is amended by repealing section 4774, except for subsection (d) thereof, which subsection remains with the "(d)" deleted; and by revising the catchline of such section and the corresponding item in the analysis to read: "Construction: limitations".

(d) Chapter 649 of title 10, United States Code, is amended by repealing sections 7574 and 7575 and by striking out the corresponding items in the analysis.

(e) Chapter 949 of title 10, United States Code, is amended by repealing section 9774, except subsection (d) thereof, which subsection remains with the "(d)" deleted; and by revising the catchline of such section and the corresponding item in the analysis to read: "Construction: limitations".

SEC. 510. Notwithstanding the provisions of any other law, the Secretary of the Air Force is authorized to settle claims regarding repairs and improvements to public quarters at F. E. Warren Air Force Base, Wyoming, in the amount of $41,221.92.

SEC. 511. There is authorized to be appropriated for use by the Secretary of Defense, or his designee, for military family housing as authorized by law for the following purposes:

(1) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, relocation of family housing, rental guarantee payments, construction and acquisition of mobile home facilities, and planning, an amount not to exceed $345,246,000; and

(2) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payment to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $826,793,000.

SEC. 512. (a) Notwithstanding any other provision of law, the Secretary of the Army, or his designee, is hereby authorized to convey to the State of Hawaii, subject to the terms and conditions hereafter stated, and to such other terms and conditions as the Secretary of the Army, or his designee, shall deem to be in the public interest, all right, title, and interest of the United States in and to certain land, with improvements thereon, within the Fort Ruger Military Reservation, Hawaii, as described in subsection (c).

(b) In consideration for the conveyance by the United States of the aforesaid property, the State of Hawaii shall provide for, convey, or pay to the United States, either in facilities and services or money or a combination thereof, as determined by the Secretary of the Army, a sum equal to the appraised fair market value of the property to be conveyed. The facilities and services so provided shall be utilized, and money so paid shall be credited to applicable accounts which shall then be available, for site preparation and improvement of the Aliamanu Military Reservation, Oahu, Hawaii, including roads and streets, utilities, and other community facilities suitable for the support of a military family housing development. The site preparation and improvements shall be in accordance with plans and specifications to be approved by the Secretary of the Army or his designee.

(c) The lands authorized to be conveyed to the State of Hawaii as provided in subsection (a) comprise approximately fifty-seven acres with improvements thereon as generally depicted on maps on file in the Office of the United States Army Engineer, Pacific Ocean Division, Honolulu, Hawaii. The exact description and acreage of the land to be conveyed shall be determined by an accurate survey as mutually agreed upon between the State of Hawaii and the Secretary of the Army, or his designee.

(d) Notwithstanding any other provision of law, the cost of the site preparation, roads and streets, utilities, and other support facilities borne by the State of Hawaii, as provided herein shall not be considered in arriving at the average cost of any family housing units or the cost of any single family housing unit to be constructed on the property.

(e) Public Law 91-564, approved December 19, 1970, is hereby repealed.

SEC. 513. (a) There is authorized to be appropriated for use by the Secretary of Defense for the purposes of section 1013 of Public Law 89-754 (80 Stat. 1255, 1290), including acquisition of properties, an amount not to exceed $7,000,000.

(b) Such section 1013 is further amended by adding the following new subsection:

"(m) In addition to the coverage provided above, the benefits of this section shall apply, as to closure actions in the several States and the District of Columbia announced after April 1, 1973, to otherwise eligible employees or personnel who are (1) employed or assigned either at or near the base or installation affected by the closure action, and (2) are required to relocate, due to transfer, reassignment or involuntary termination of employment, for reasons other than the closure action."

TITLE VI

GENERAL PROVISIONS

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $485,827,000; outside the United States, $107,257,000; section 102, $3,000,000; or a total of $596,084,000.

(2) for title II: Inside the United States, $511,606,000; outside the United States, $58,833,000; or a total of $570,439,000.

(3) for title III: Inside the United States, $238,439,000; outside the United States, $21,302,000; section 302, $1,000,000; or a total of $260,741,000.

(4) for title IV: A total of $10,000,000.

(5) for title V: Military family housing and homeowners assistance, $1,179,039,000.

SEC. 603. (a) Except as provided in subsection (b), any of the amounts specified in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum when inside the United States (other than Hawaii and Alaska), and by 10 per centum when outside the United States or in Hawaii and Alaska, if he determines that such increase (1) is required for the sole purpose of meeting unusual variations in cost, and (2) could not have been reasonably anticipated at the time such estimate was submitted to the Congress. However, the total cost of all construction and acquisition in each such title may not exceed the total amount authorized to be appropriated in that title.

(b) When the amount named for any construction or acquisition in title I, II, III, or IV of this Act involves only one project at any military installation and the Secretary of Defense, or his designee, determines that the amount authorized must be increased by more than the applicable percentage prescribed in subsection (a), the Secretary concerned may proceed with such construction or acquisition if the amount of the increase does not exceed by more than 25 per centum the amount named for such project by the Congress.

(c) Subject to the limitations contained in subsection (a), no individual project authorized under title I, II, III, or IV of this Act for any specifically listed military installation may be placed under contract if—

(1) the estimated cost of such project is $250,000 or more, and

(2) the current working estimate of the Department of Defense, based upon bids received, for the construction of such project exceeds by more than 25 per centum the amount authorized for such project by the Congress, until after the expiration of thirty days from the date on which a written report of the facts relating to the increased cost of such project, including a statement of the reasons for such increase, has been submitted to the Committees on Armed Services of the House of Representatives and the Senate.

(d) The Secretary of Defense shall submit an annual report to the Congress identifying each individual project which has been placed under contract in the preceding twelve-month period and with respect to which the then current working estimate of the Department of Defense based upon bids received for such project exceeded the amount authorized by the Congress for that project by more than 25 per centum. The Secretary shall also include in such report each individual project with respect to which the scope was reduced in order to permit contract award within the available authorization for such project. Such report shall include all pertinent cost information for each individual project, including the amount in dollars and percentage by which

the current working estimate based on the contract price for the project exceeded the amount authorized for such project by the Congress.

SEC. 604. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, or such other department or Government agency as the Secretaries of the military departments recommend and the Secretary of Defense approves to assure the most efficient, expeditious, and cost-effective accomplishment of the construction herein authorized. The Secretaries of the military departments shall report annually to the President of the Senate and the Speaker of the House of Representatives a breakdown of the dollar value of construction contracts completed by each of the several construction agencies selected, together with the design, construction supervision, and overhead fees charged by each of the several agents in the execution of the assigned construction. Further, such contracts (except architect and engineering contracts which, unless specifically authorized by the Congress, shall continue to be awarded in accordance with presently established procedures, customs, and practice) shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report annually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 605. As of October 1, 1974, all authorizations for military public works, including family housing, to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, IV, and V of the Act of October 25, 1972, Public Law 92-545 (86 Stat. 1135), and such authorizations contained in Acts approved before October 26, 1972, and not superseded or otherwise modified by a later authorization are repealed except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) authorizations for public works projects as to which appropriated funds have been obligated for construction contracts, land acquisition, or payments to the North Atlantic Treaty Organization, in whole or in part, before October 1, 1974, and authorizations for appropriations therefor;

(3) notwithstanding the repeal provisions of section 705(b) of the Act of October 25, 1972, Public Law 92-545 (86 Stat. 1135, 1153), all authorizations for construction of family housing, including mobile home facilities, all authorizations to accomplish alterations, additions, expansion, or extensions to existing family housing, and all authorizations for related facilities projects under said Act are hereby continued and shall remain in effect until October 1, 1974; and

(4) notwithstanding the repeal provisions of section 705(a) of the Act of October 25, 1972, Public Law 92-545 (86 Stat. 1135, 1153), authorizations for the following items which shall remain in effect until October 1, 1975:

(A) Enlisted women's barracks construction in the amount of $437,000 for Fort Rucker, Alabama, that is contained in title I, section 101, under the heading "INSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 395), as amended.

(B) Airfield expansion in the amount of $882,000 for the United States Army Security Agency, that is contained in title I, section 101, under the heading "OUTSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 395), as amended.

(C) Environmental Health Effects Laboratory in the amount of $4,500,000 for the Naval Medical Research Institute, Bethesda, Maryland, that is contained in title II, section 201, under the heading "INSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 397).

SEC. 606. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction projects inside the United States in excess of a unit cost to be determined in proportion to the appropriate area construction cost index, based on the following unit cost limitations where the area construction index 1.0:

(1) $28.50 per square foot for permanent barracks;

(2) $30.50 per square foot for bachelor officer quarters;

unless the Secretary of Defense or his designee determines that because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable. Notwithstanding the limitations contained in prior military construction authorization Acts on unit costs, the limitations on such costs contained in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded prior to the date of enactment of this Act.

SEC. 607. Section 709 of Public Law 92-145 (85 Stat. 394, 414), as amended, is amended to read as follows:

"SEC. 709. Notwithstanding any other provision of law, none of the lands constituting Camp Pendleton, California, may be sold, transferred, or otherwise disposed of by the Department of Defense unless hereafter authorized by law, but the Secretary of the Navy, or his designee, may, with respect to such lands, grant leases, licenses, or easements pursuant to chapter 159 of title 10, United States Code, and section 961 of title 43, United States Code."

SEC. 608. Chapter 159 of title 10, United States Code, is amended as follows:

(1) Section 2674(f) is amended by striking out the phrase "every six months" in the second line and inserting "annually" in place thereof.

(2) Section 2676 is amended by adding at the end thereof a new sentence as follows: "The foregoing limitation shall not apply to the acceptance by a military department of real property acquired under the authority of the Administrator of General Services to acquire property by the exchange of Government property pursuant to the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)."

SEC. 609. The Secretary of Defense is authorized to use any unobligated funds, not in excess of $1,500,000, heretofore appropriated to carry out the provisions of section 610 of the Military Construction Authorization Act, 1971 (84 Stat. 1224) for the purpose of assisting communities near Malmstrom Air Force Base, Great Falls, Montana, to pay their respective shares of the cost under any Federal program providing assistance for the adoption, to the needs and uses of such communities, of the water system, and appurtenances thereto, installed to support the Safeguard Antiballistic Missile site near such air force base.

SEC. 610. (a) Notwithstanding any other provision of law, the Secretary of Defense, in consultation with the National Capital Planning Commission and other interested agencies, but without being subject to the approval of such Commission or any other agency, is directed, within available authorizations and appropriations, to proceed with the further planning, development, and construction of the Bolling-Anacostia Complex. The Secretary shall use as a guide to such further planning and development the Bolling-Anacostia Base Development Concept included with the final environmental impact statement filed with the Council on Environmental Quality on July 26, 1973, under the provisions of section 102(2)(C) of the National Environmental Policy Act of 1969.

(b) Section 607(b) of Public Law 89-188, as amended, is amended by deleting "January 1, 1975" wherever it appears, and inserting in lieu thereof "January 1, 1980".

SEC. 611. (a) The Secretary of the Army, or his designee, is authorized to convey to the San Antonio Country Club, subject to such terms and conditions as the Secretary of the Army, or his designee, may deem to be in the public interest, all rights, title, and interest of the United States, except as retained in this section, in and to certain two parcels of land containing, in the aggregate, 2.39 acres, more or less, situated in the county of Bexar, State of Texas, being part of the Fort Sam Houston Military Reservation, and more particularly described as follows:

PARCEL NO. 1

From boundary marker numbered B-88 for Fort Sam Houston, said point being a northeast corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker numbered B-87;

Thence north 15 degrees 11 minutes east, 546.15 feet to a point in the common line between said San Antonio Country Club and United States of America properties, said point being located north 78 degrees 10 minutes west, 298 feet from boundary marker numbered B-81;

Thence north 04 degrees 36 minutes east, 623.49 feet to a point in the common line between said San Antonio Country Club properties for the point of beginning, said point of beginning being located north 68 degrees 59 minutes west, 695 feet from boundary marker numbered B-79;

Thence along the common line between said San Antonio Country Club and United States of America properties as follows: north 68 degrees 59 minutes west, 300 feet to boundary marker numbered B-78;

Thence north 00 degrees 32 minutes west, 1197.6 feet to boundary marker numbered B-77 for the corner common to said San Antonio Country Club and United States of America properties, situated in the south right-of-way line for Burr Road;

Thence departing from said common line, along the south right-of-way line for said Burr Road, north 89 degrees 58 minutes east, 50 feet to a point;

Thence south 00 degrees 32 minutes east, 1028.08 feet to a point;

Thence south 21 degrees 26 minutes east, 114.79 feet to a point;

Thence south 48 degrees 05 minutes east, 254.90 feet to the point of beginning, containing 1.73 acres, more or less.

PARCEL NO. 2

From boundary marker numbered B-88 for Fort Sam Houston, said point being a northwest corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker B-87 for the point of beginning;

Thence along the common line between said San Antonio Country Club and United States of America properties as follows: north, 102.2 feet to boundary marker numbered B-86;

Thence north 07 degrees 15 minutes east, 117.4 feet to boundary marker numbered B-85;

Thence north 12 degrees 30 minutes east, 88.1 feet to boundary marker numbered B–84;

Thence north 07 degrees 10 minutes west, 168.4 feet to boundary marker numbered B–83;

Thence north 51 degrees 05 minutes east, 104.4 feet to boundary marker numbered B–82;

Thence south 78 degrees 10 minutes east, 50 feet to a point;

Thence departing from said common line, south 15 degrees 11 minutes west, 546.15 feet to the point of beginning, containing 0.66 acre, more or less.

(b) In consideration for the conveyance by the United States of America of the property described in subsection (a), the San Antonio Country Club shall convey to the United States, for incorporation with the Fort Sam Houston Military Reservation, a parcel of land containing 6.47 acres, more or less, being described as follows:

From boundary marker numbered B–88 for Fort Sam Houston, said point being a northwest corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker numbered B–87;

Thence north 15 degrees 11 minutes east, 546.15 feet to the point of beginning, situated in the common line between said San Antonio Country Club and United States of America properties, said point of beginning being located south 78 degrees 10 minutes east, 50 feet from boundary marker numbered B–82;

Thence north 04 degrees 36 minutes east, 623.49 feet to a point in the common line between said San Antonio Country Club and United States of America properties, said point being located south 68 degrees 59 minutes east, 300 feet from boundary marker numbered B–78;

Thence along said common line as follows: south 68 degrees 59 minutes east, 695 feet to boundary marker numbered B–79 for a re-entrant corner for said United States of America property and a northeast corner for said San Antonio Country Club property;

Thence south 44 degrees 07 minutes west, 333.7 feet to boundary marker numbered B–80;

Thence south 42 degrees 04 minutes west, 261 feet to boundary marker numbered B–81 for a re-entrant corner for said United States of America property and a southeast corner for said San Antonio Country Club property;

Thence north 78 degrees 10 minutes west, 298 feet to the point of beginning containing 6.47 acres, more or less.

(c) The legal descriptions in subsections (a) and (b) may be modified as agreed upon by the Secretary, or his designee, and the San Antonio Country Club, consistent with any necessary changes which may be disclosed as a result of accurate survey.

(d) The conveyance of property authorized in subsection (a) of this section shall be subject to the following provisions, conditions, and reservations, which shall be incorporated in the deed of conveyance to be executed by the Secretary of the Army:

(1) Reservation to the United States of rights-of-way for any existing utility lines or access roads.

(2) Provision that the grantee, in accepting the deed, shall agree (A) to relocate fences between its property and the boundary lines of Fort Sam Houston, at no expense to the United States, and (B) to hold the United States harmless from any damage that may result from drainage from the property conveyed to the United States under subsection (b).

(e) All expenses for surveys and the preparation and execution of legal documents necessary or appropriate to carry out the provisions of this section shall be borne by the San Antonio Country Club.

SEC. 612. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1974".

TITLE VII

RESERVE FORCES FACILITIES

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) For the Department of the Army:

(a) Army National Guard of the United States, $29,900,000.

(b) Army Reserve, $35,900,000.

(2) For the Department of the Navy: Naval and Marine Corps Reserve, $21,458,000.

(3) For the Department of the Air Force:

(a) Air National Guard of the United States, $16,000,000.

(b) Air Force Reserve, $9,000,000.

SEC. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on lands includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 703. With respect to the preceding authorization contained in section 701 for the Army Reserve, no portion of such authorization or any other prior Army Reserve authorization granted by the Congress may be utilized to construct replacement facilities for Army Reserve units at Fort DeRussy, Hawaii, at any location other than Fort DeRussy.

SEC. 704. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1974".

And the House agree to the same.

F. EDW. HÉBERT,
OTIS G. PIKE,
CHARLES E. BENNETT,
SAMUEL S. STRATTON,
WILLIAM G. BRAY,
CARLETON J. KING,
G. WILLIAM WHITEHURST,
Managers on the Part of the House.

JOHN C. STENNIS,
STUART SYMINGTON,
HENRY M. JACKSON,
SAM J. ERVIN, Jr.,
HOWARD W. CANNON,
HARRY F. BYRD, Jr.,
JOHN G. TOWER,
STROM THURMOND,
PETER H. DOMINICK,
Managers on the Part of the Senate.

JOINT STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2408) to authorize certain construction at military installations, and for other purposes, submit the following joint statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying report:

LEGISLATION IN CONFERENCE

On September 13, 1973, the Senate passed S. 2408 which is the fiscal year 1974 military construction authorization for the Department of Defense and Reserve components.

On October 11, 1973, the House considered the legislation, amended it by striking out all language after the enacting clause and wrote a new bill.

On October 16, 1973, the Senate asked for a conference and on the same date, the House agreed to the conference.

COMPARISON OF HOUSE AND SENATE BILLS

S. 2408, as passed by the House of Representatives, provided new construction authorization to the military departments and the Department of Defense for fiscal year 1974 in the total amount of $2,715,924,000. However, in accordance with the recommendations of the Committee on Armed Services, the House reduced the overall amount authorized for appropriation by $64,697,000 to a total of $2,651,227,000.

The bill as passed by the Senate provided new authorizations in the amount of $2,835,444,000.

SUMMARY OF RESOLUTION OF DIFFERENCES

As a result of a conference between the House and Senate on the differences in S. 2408, the conferees agreed to a new adjusted authorization for military construction for fiscal year 1974 in the amount of $2,773,584,000.

The Department of Defense and the respective military departments had requested a total of $2,992,513,000 for new construction authorization for fiscal year 1974. The action of the conferees reduces the departmental request by $218,929,000.

CONSTRUCTION IN ICELAND

Included in this bill are five items totaling $7,447,000 for construction in Iceland. Two of these items, in the Navy program, total $6,092,000 and are for the construction of a Bachelor Enlisted Quarters and a Bachelor Officers Quarters.

These items were included in the House bill but deleted from the Senate bill because of clear indications that the government of Iceland may seek to have the United States withdraw its military installations from that country. After thorough discussion, these items have been retained by the Conference Committee in order to allow the Executive branch reasonable leeway to negotiate with the government of Iceland. These negotiations, we are advised, are presently under way.

The Conference Committee, while authorizing appropriations at this time, is unalterably opposed to the funding of these projects unless the United States is assured that it will not be asked to abandon its facilities in Iceland in the foreseeable future.

*Total authorization granted fiscal year 1974**

Title I (Army):	
Inside the United States	$493,327,000
Outside the United States	107,257,000
Classified	3,000,000
Subtotal	603,584,000
Title II (Navy):	
Inside the United States	519,106,000
Outside the United States	58,833,000
Subtotal	577,939,000
Title III (Air Force):	
Inside the United States	238,439,000
Outside the United States	21,302,000
Classified	1,000,000
Subtotal	260,741,000
Title IV (Defense Agencies):	
Inside the United States	17,100,000
Subtotal	1,459,364,000

Title V (military family housing and homeowners assistance)	$1,179,039,000
Deficiency authorizations:	
Title I (Army)	4,735,000
Title II (Navy)	9,442,000
Title III (Air Force)	8,746,000
Subtotal	22,923,000
Title VII (Reserve Forces facilities):	
Army National Guard	29,900,000
Army Reserve	35,900,000
Naval and Marine Corps Reserves	21,458,000
Air National Guard	16,000,000
Air Force Reserve	9,000,000
Total	112,258,000
Grand total granted by titles I, II, III, IV, V, and VII	2,773,584,000

*These totals are for specific projects authorized for construction. However, the amounts authorized for appropriation have been reduced in Title VI as follows: Title I—Army $7,500,000; Title II—Navy—$7,500,000; Title IV—Defense Agencies—$7,100,000; a total of $22,100,000.

TITLE I—ARMY

The House had approved construction authorization in the amount of $587,963,000 for the Department of the Army. However, the House only authorized for appropriation $572,963,000 for the Department of the Army because of a recently conducted study of the utilization of training installations and small single-mission posts. It was felt that pending completion of the study, there would be a substantial number of projects which would be held in abeyance and at least a total of $15 million of such projects might never be put under contract.

The Senate approved construction for the Army in the amount of $620,088,000. This amounted to a reduction by the House from the Senate figure of $47,125,000. The conferees agreed to a new total for Title I in the amount of $603,584,000. However, the amount authorized for appropriation for the Army in Title VI is $596,084,000.

Fort Benning, Georgia

One of the items included by the House, but not included in the Senate bill, was a project for the first increment of a barracks complex at Fort Benning, Georgia in the amount of $9.5 million. This project was not requested by the Department of the Army but was added by the House Committee over and above the budget request.

In conference, the Senate conferees were adamant in their position that this project would not be included in the final bill. Their justification was the fact that the Department of the Army had advised the Senate conferees, as well as the House conferees, that this project was still in the early design stage and even if authorized and funded, it could not be put under contract in fiscal year 1974. The project is scheduled for the Army's fiscal year 1975 program in the total amount of approximately $21 million.

In view of this information and the position insisted on by the Senate, the House conferees reluctantly receded.

Fort Hood, Texas

At Fort Hood, Texas, there was a request for $5,270,000 to improve Gray Army Airfield. The project was to upgrade airfield aprons to include widening apron and taxiways. Also, it was to provide new refueling facilities and fuel storage. The project was deleted by the House but included by the Senate.

In conference, the House conferees insisted that the present facilities were not in such condition that this particular project could not be postponed for one year. The House conferees further insisted that due to fiscal restraints placed on the Services, this project could safely be deferred and the Senate conferees reluctantly receded.

SELF-HELP GARAGES

Two automotive self-help garages were requested by the Army within their community support program. They were denied by the House, but included in the Senate bill. These facilities were strongly supported by the Service as high utilization activities, extremely popular with the soldiers. The Committees recognize the high morale value and troop interest in automotive self-help garages. However, it is felt these facilities should be supported from nonappropriated funds.

The Senate receded.

Among the major items originally deleted by either the House or Senate and restored by the conferees were the following:

Fort Gordon, Georgia—Commissary, $2,924,000

The House deleted this particular project believing that the present facility could be utilized at least one more year and because downtown Augusta, Georgia is only twelve miles away. However, the Senate conferees pointed out that the amount of business generated in the commissary at Fort Gordon, Georgia had steadily increased over the past several years and the deplorable condition of the existing commissary makes it unsafe for continued use.

The House receded.

Hunter-Liggett, California—EM Barracks Complex, $7,776,000

The House deleted the Army's request for this particular EM barracks complex believing that due to fiscal restraints, the present facilities could be utilized for another year. Further, the House conferees felt that this particular installation, being a sub-post of Fort Ord, California, had been on the "suspect" closure list for several years and that it could very well be that the training now being conducted at Hunter Liggett might be completely eliminated.

However, the Senate conferees pointed out that the Army reclama placed this particular project very high on its priority list indicating that the facility was not in danger of immediate closure or major reduction.

In view of the information furnished by the Army and after thorough discussion of the situation, the House receded.

Aero MTCE, Texas—Supply and Storage Building, $5,196,000

The House deleted the Army's request for this supply and storage building in Corpus Christi, Texas believing that the realignment study presently under way might result in an adverse impact on this particular installation and that the buildings now in use could be utilized for another year.

However, the Senate conferees pointed out that a new facility would make possible considerable savings to the taxpayer and that this facility was unique, making it an unlikely candidate base for major reduction or closure. Further, the Senate conferees insisted that denial of this project could compound problems in supply operations.

The House receded.

Fort Shafter, Hawaii—Medical-Dental Clinic, $1,233,000

The House deleted the Army's request for this medical-dental clinic feeling that it could be safely deferred as a relatively low priority item.

The Senate conferees pointed out that the present facilities are in temporary buildings, scattered and in poor physical condition, and are seriously lacking in interior lighting, ventilation, and sanitary facilities. Further, the continued maintenance and operation of the temporary structures are very uneconomical.

After a thorough discussion of the problems, the House receded.

Reduction in Amount Authorized for Appropriation, $15,000,000

The Senate conferees pointed out to the House conferees that the $15,000,000 reduction in the amount authorized for appropriation, in view of today's inflationary construction cost, might adversely affect the fiscal year 1974 program. The unobligated balances were said to be insufficient for this size cut and other programs authorized in the present bill would be drastically affected.

The House conferees agreed with the Senate conferees and a reduction of $7.5 million in the amount authorized to be appropriated was agreed upon.

The House receded with an amendment.

TITLE II—NAVY

The House approved $554,933,000 in new construction authorization for the Department of the Navy. However, the House only authorized for appropriation the sum of $539,933,000. The Senate approved $602,022,000.

The conferees agreed to a new total in the amount of $577,939,000. However, the amount authorized for appropriation is $570,439,000.

Among the major items originally deleted by either the House or Senate and restored in the conference were the following:

Naval Underwater Systems Center, New London, Connecticut—Engineering Building, $3,600,000

The House deleted this particular project believing that it was of relatively low priority in this year's Navy program. The Senate approved the project.

In conference, the Senate conferees pointed out that the World War II temporary buildings now in use are deficient in size, dispersed, functionally inadequate, fire hazardous, and have been flooded on numerous occasions. Further, electronic equipment and machine tools valued over $7 million are housed in these buildings.

After a thorough discussion of the problem, the House receded.

Naval Complex, Adak, Alaska—Commissary, $1,920,000

This project was deferred by the House without prejudice to a future year's program. The Senate approved the project.

In conference, the Senate conferees pointed out that the present inadequate facility is of wood construction, was built in 1944, and is the only retail food outlet in Adak. The nearest offbase community capable of providing grocery sales service is 1,150 miles distant. Major structural deterioration with severe cracking in all beams and columns, rotten floor and roof characterize this facility.

The House receded.

MC Recruit Depot, San Diego, California—Dispensary, $3,825,000

The Senate deleted this project believing that it was of relatively low priority and could be safely deferred for at least a year. The House approved this project.

In conference, the House conferees pointed out that the existing facility is a substandard facility constructed in 1922 as a barracks. The utilities and plumbing are outmoded and require an excessive amount of maintenance. The existing dispensary is adjacent to exchange facilities and permanent personnel facilities and is three-quarters of a mile from the recruit health records building. The House conferees insisted that to continue operations in the present outdated and degenerated facilities could only com-

pound the existing discrepancies and further degradation of the medical services now provided.

The Senate receded.

Naval Hospital, Orlando, Florida—Hospital, $20,981,000

One of the major items in dispute in Title II was the Naval Hospital, Orlando, Florida which was included by the Senate in their consideration of the bill but deleted by the House.

The House deleted this project believing that sufficient hospital and clinic space was available in the State of Florida to satisfy current and projected future needs for active duty military and their dependents. The Senate included this hospital in their bill.

It was pointed out during the hearings that the present hospital was a cantonment type World War II hospital and was constructed in 1943. The House Committee felt, however, that the present facility program, a 150-bed dispensary which is less than three years old, could satisfy the projected workload. Further, the House conferees pointed out that there is presently located in the State of Florida thirteen military hospitals and five facilities of the out patient clinic type and this should be sufficient to satisfy the foreseeable needs.

After much discussion, the Senate receded.

Reduction in Amount Authorized for Appropriation, $15,000,000

The Senate conferees pointed out to the House conferees that the $15,000,000 reduction in the amount authorized for appropriation, in view of today's inflationary construction cost, might adversely affect the fiscal year 1974 program. The unobligated balances were said to be insufficient for this size cut and other programs authorized in the present bill would be drastically affected.

The House conferees agreed with the Senate conferees and a reduction of $7.5 million in the amount authorized to be appropriated was agreed upon.

The House receded with an amendment.

Culebra Island (Section 204)

The Senate included in their bill authorization for $12 million to relocate the ship-to-shore and other gunfire and bombing operations of the U. S. Navy from the Island of Culebra. The provision was added during the Committee mark-up without any hearings or testimony being taken in support thereof. The House bill contained no such provision.

This provision in the Senate bill caused much discussion and debate among the conferees regarding the feasibility of relocating this activity from Culebra to the Islands of Desecheo and Monito. This issue has been the subject of considerable concern in both the House and the Senate for the last several years. The House conferees were privileged to have a conference with the Governor of Puerto Rico, the Resident Commissioner, and the Mayor of Culebra prior to the final conference with Senate conferees.

The restrictive language included in Section 204 is a result of the discussion with the Governor and others and the conferees believe it provides sufficient protection to the Navy upon the relocation of the ship-to-shore gunfire operations from Culebra to the other Islands mentioned.

The House receded with an amendment.

TITLE III—AIR FORCE

The House approved $246,656,000 in new construction authorization for the Department of the Air Force. The Senate approved $274,747,000.

The conferees agreed to a new total in the amount of $260,741,000.

Among the major items in conference which were resolved after much deliberation are:

Kelly AFB, Texas—A/C Engine Fuel System Overhaul, $3,166,000

The Senate approved, but the House denied, $3,166,000 for an Engine Fuel System Overhaul facility. The project includes jet fuel system repair and test area, administrative, storage, toilets and mechanical equipment rooms. The existing facilities, the House felt, could continue to be utilized for at least the next year.

The Senate conferees pointed out that the requested space is required to accommodate the new workload which requires additional test stands to work the advanced technological system on the new F-100-PW engines and fuel system controls that are to be assigned to Kelly AFB for depot repair and test. It was further pointed out that the present facilities are far too small and do not have environmental control to assure quality controlled production.

The House receded.

Tinker AFB, Oklahoma—Addition to and Alteration of Composite Medical Facility, $3,879,000

The House Committee deferred this project without prejudice because it was felt that the project could be deferred to a future program without impinging upon the Air Force. The Senate bill included this project.

The House deferred this project because the outpatient visits per year at this facility have dropped from 210,000 to 190,000 and the base population is predicted to drop by at least 2,000 by fiscal year 1976.

After a thorough discussion about medical needs in the Air Force, the conferees agreed that the medical needs of this military community could be served by the existing facility.

The Senate receded.

Wright-Patterson AFB, Ohio—Aircraft Fuels and Lubricants Laboratory, $4,857,000

The Senate bill included this project, but the House Committee deferred it without prejudice.

In conference, the Senate conferees pointed out that the project is for the construction of laboratory space for exploratory and advanced development in aerospace fuels and lubricants, hazards detection, and fire suppression systems. The Senate further argued that the existing laboratory space is totally inadequate and widely scattered.

However, the House conferees pointed out that the mission is presently being performed in the facilities now available and the Air Force has no plans to destroy the facilities upon completion of the new laboratory, but they would be used for other purposes. Therefore, the House conferees insisted that the present facilities could be continued in use for at least one more year.

The Senate receded.

Maxwell AFB, Alabama—Addition to and Alteration of Composite Medical Facility, $4,900,000

The Senate approved, but the House denied, $4,900,000 for addition and alteration of the Maxwell AFB hospital. The main purpose of this project was to provide enlarged outpatient clinics and ancillary support space and four dental treatment rooms.

The Senate conferees argued that this is a regional hospital and provides inpatient and outpatient consultant services and specialty care to three other Air Force bases.

The House conferees were adamant in their position pointing out that this hospital was completed less than ten years ago and contained 225 beds. The Air Force later rearranged the rooms and cut the bed capacity to 200. The House conferees further argued that this construction appeared to be more for retirees than active duty personnel and until a further study could be made, the project could be deferred.

The Senate receded.

Cape Newenham, Alaska—Composite Support Facilities, $5,403,000

The House Committee deferred this project without prejudice due to the apparent high cost of the first phase of a two phase facility. The House conferees further argued that there are only 114 military personnel stationed at Cape Newenham AFS and this item should be restudied.

The Senate conferees were adamant in their position that the Conference Committee should include this project in its final bill. They pointed out to House conferees that the aircraft control and warning activities are now accommodated in twenty-two widely scattered buildings, most of which are over twenty years old and were designed with a life expectancy of less than ten years. Severe weather conditions make operating from these old buildings most difficult. Maintenance and repair requirements have increased beyond the station's ability to effectively operate.

The House reluctantly receded.

TITLE IV—DEFENSE AGENCIES

The Secretary of Defense requested $17,100-000 to provide for the construction of new facilities and rehabilitation of existing facilities for the Defense Agencies at 12 named installations. The Senate approved all projects as requested. However, the House deferred the Defense Fuel Supply Center in the amount of $2,403,0000 at the Defense Supply Center, Richmond, Virginia. Further, the House did not authorize any amount for appropriations under the Defense Agency's account. The Committee was informed that there was some $24,000,000 in the Defense Contingency Fund which would not be required in FY-74 and believed it could be applied against the new authorization for projects under Title IV in the amount of $14,697,000.

In conference the Senate conferees argued that the Congress had required that in order to use the monies in the Contingency Fund, there must be a certification by the Secretary of Defense that the project or projects to be funded must be "vital to the security of the United States." After a thorough discussion by the conferees, the House receded on the project for the Defense Fuel Supply Center and the conferees agreed to authorize $10,000,000 for appropriation against $17,-100,000 in authorization.

The House receded with an amendment.

TITLE V—FAMILY HOUSING

The Department of Defense presented an authorization request for appropriations for military family housing and the Homeowners Assistance Program totaling $1,257,567,000. This was for 11,688 units of new construction, improvements to existing housing, operation and maintenance, debt payment, etc. Also included in the family housing request was an increase in the statutory average unit cost limitation on the construction of military family housing from $24,000 to $27,500 average cost for the United States and from $33,500 average unit cost outside the United States and Alaska and Hawaii to $38,000. The Department's new construction request reflected cost increases due primarily to continued cost escalation and secondarily to proposed increases to square foot limitations for high ranking Noncommissioned Officers and Junior Officers.

The House authorized 12,413 units but limited the number to be constructed to 9,725 units. Further, the House only authorized new funding for 9,000 units. The Senate authorized construction of 11,032 units of new construction, a reduction of 656 units from the departmental request and they authorized funding for all units authorized. The

House approved increases in the average unit cost limitation from $24,000 to $28,500 for the United States (except Alaska and Hawaii); and from $33,500 to $38,000 average cost in other areas. The Senate approved average unit cost increases from $24,000 to $27,000 for the United States (except Alaska and Hawaii); from $33,500 to $37,000 average cost in other areas. Further, the Senate approved $7,000,000 for Homeowners Assistance which was omitted from the House bill.

In conference the conferees agreed to authorize 10,679 family housing units at an average cost of $27,500 per unit as originally requested by the Department for inside the United States (other than Alaska and Hawaii). The conferees agreed that the statutory cost limitations for outside the United States, Alaska and Hawaii would be $37,000 average and maximum of $44,000 per unit.

The conferees agreed to a new total for the Family Housing program in the amount of $1,179,039,000. The amount approved includes $7 million for Homeowners Assistance and is $22,429,000 below the Senate figure and $21,-345,000 above the House figure.

The Defense Department did not propose any changes in the Domestic Leasing Program and both committees approved the continuation of this program in section 507.

However, the Senate Committee found it necessary to add section 507(b) which imposes limitations on the Department's Foreign Leasing authority which heretofore has been general in nature. Section 507(b) as developed by the Senate Committee centralizes control of the program at the Secretary of Defense level and imposes cost limitations of $325 per month average rental cost and a maximum cost of $625 per unit per month. A numerical limitation of 7,500 is also imposed. However, recognizing that a certain number of leases must exceed these cost limitations, the committee has included authority for the Secretary of Defense to waive such cost limitations for up to 300 units in cases of rentals for incumbents of representational positions, personnel attached to DAOs (Defense Attache Officers) and in cases of hardship. It is expected by the conferees that the Department of Defense will closely monitor and control the Foreign Leasing Program with a view to reducing the cost of leases that are not included in the cost limitation and apprise the Committees on Armed Services of the House and Senate as to the progress being made in this area.

The House receded.

The Senate added a provision (Sec. 512) which would repeal Public Law 91-564 which authorized the Secretary of the Army to convey approximately 57 acres of land and improvements at Fort Ruger Military Reservation, Hawaii, to that State in exchange for the conveyance by the State of Hawaii to the United States of approximately 259 acres of land adjacent to the Tripler Army Hospital. The land adjacent to the Tripler Hospital was to be used as a site for additional family housing. Because of the difference in land values of parcels involved in the exchange, the Act also provided for the State to do certain site preparations on the land to be conveyed to the United States.

Subsequent evaluations determined that development of the land to be conveyed to the United States was too costly for military housing; therefore, the section (512 of Senate Bill) as proposed would continue to permit the Secretary of the Army to convey the Fort Ruger properties to the State of Hawaii, but in lieu of the State conveying land to the United States as heretofore provided, the State would provide for, convey or pay to the United States, either in facilities and services or money, or a combination thereof, a sum equal to the appraised fair market value of the Fort Ruger property to be available for site preparation for military family housing at the Defense-owned Aliamanu Military Reservation, Oahu. The cost of the site preparation, roads and streets, utilities and other support facilities borne by the State would not be considered in arriving at the average cost of any family housing units or the cost of any single family housing unit to be constructed within the boundaries of the Aliamanu Military Reservation, Oahu, Hawaii.

Inasmuch as there appears to be no better alternative to the proposed legislation, and in light of the situation now facing the Department of the Army as a consequence of an inadequate previous evaluation, the conference committee approves of the proposed action with sincere hope that this legislation will prove sufficient to provide adequate housing to military personnel and their dependents.

The House receded.

TITLE VI—GENERAL PROVISIONS

Under section 604 of the General Provisions all contracts for military construction are required to be awarded on a competitive basis to the lowest reasonable bidder insofar as practicable. This year the Department proposed an amendment to permit awards on a competitive basis by Turnkey One-Step Procedures. This is now permitted by statute for military family housing and in some areas has proven quite successful and economical. The proposed amendment would extend the practice to other common-type military construction projects such as hangars, commissaries, etc. The Senate approved the amendment but it was denied by the House. The House Committee felt that to award such construction contracts on other than a competitive low-bid basis would be a mistake and could possibly lead to contracts being awarded on human judgments rather than mathematical bids.

During the conference the House conferees were adamant in their position and persuaded the Senate conferees to omit this proposed amendment by the Department of Defense.

The Senate receded.

Section 606 provides statutory limitations on the square foot cost of bachelor housing.

Both the Senate and House approved an increase from $27.00 to $28.50 per square foot for barracks and from $29.00 to $30.50 for bachelor officers quarters. This factor controls the cost of bachelor housing.

The House added a provision to require a planned occupancy for permanent barracks of a minimum of four persons per room for Enlisted Grades E4 and below and no fewer than two persons per room for Enlisted Grades E5, E6, and E7. Based on the progress the services have made on the design of this year's bachelor enlisted quarters projects and the increased costs that would result as a consequence of a change at this time, the House reluctantly receded from the inclusion of this provision this year. However, the Secretary of Defense is directed to make a study of a planned occupancy for permanent barracks with a minimum of four persons per room for Enlisted Grades E4 and below.

This study should provide by Service, the one-time costs for changing criteria, the construction cost savings that will accrue in the FY 1975 Military Construction Program, an estimate of the construction cost savings for the next four Military Construction Programs, impact on morale of personnel, the impact on recruitment of personnel under an All-Volunteer Force and the flexibility of room assignments. This study will be submitted to the Committees on Armed Services of the House and Senate prior to February 1, 1974.

In order to avoid delays in the design of FY 1975 Bachelor Enlisted Quarters projects, the Committees on Armed Services of the House and Senate will determine whether to include a 4 men to the room provision in the FY 1975 Authorization Act and will notify the Department of Defense of its decision within a reasonable time after receipt of the study.

The House receded.

Section 608(3) of the bill, as submitted to the Congress, would give the Secretary of Defense authority to acquire land if he considers deferral for consideration in a future military construction to be inconsistent with the interest of national defense. The Department now has authority to acquire land up to $50,000, and to acquire options on land.

The House approved this provision, which the Senate disapproved on the basis that existing authority is sufficient.

After a thorough discussion, the House receded.

Section 609 was added by the House to ensure that the Bolling-Anacostia complex in the District of Columbia would be retained for defense purposes. It would also permit previously authorized construction, which has been held up because of lack of approval of the National Capitol Planning Commission to proceed with or without the approval of the NCPC.

No such provision was included in the Senate bill. This particular point was the subject of considerable discussion and debate among the conferees. The House provision was finally approved with general agreement among the conferees that in the next session of the 93rd Congress both the House and the Senate Committees would conduct hearings to determine the feasibility of the defense retention of all of the lands now comprising the Bolling-Anacostia complex.

The Senate receded.

TITLE VII—RESERVE FORCE FACILITIES

The House added above the budget $2.6 million for the Navy and Marine Corps Reserves to compensate for a like amount of construction funds diverted from other projects in the FY-73 authorization to complete the consolidation of Naval Reserve Headquarters. This was not considered by the Senate. However, after a thorough discussion the Senate receded.

The House added section 703 to preclude the use of any funds authorized currently, or in past years, for the replacement of any Reserve facilities now located on Fort DeRussy, Hawaii, at any location other than Fort DeRussy.

This matter was discussed at length by the conferees with the House conferees pointing out that to destroy permanent facilities now located on Fort DeRussy and relocate them elsewhere on the Island of Oahu would be extremely unwise and very wasteful.

The Senate receded.

F. EDW. HÉBERT,
OTIS G. PIKE,
CHARLES E. BENNETT,
SAMUEL S. STRATTON,
WILLIAM G. BRAY,
CARLETON J. KING,
G. WILLIAM WHITEHURST,
Managers on the Part of the House.

JOHN C. STENNIS,
STUART SYMINGTON,
HENRY M. JACKSON,
SAM J. ERVIN, JR.,
HOWARD W. CANNON,
HARRY F. BYRD, JR.,
JOHN G. TOWER,
STROM THURMOND,
PETER H. DOMINICK,
Managers on the Part of the Senate.

PERMISSION TO CONSIDER CONFERENCE REPORT ON S. 2408, MILITARY CONSTRUCTION AUTHORIZATION BILL, ON THURSDAY NEXT

Mr. PIKE. Mr. Speaker, I ask unanimous consent that the conference report on S. 2408, Military Construction Authorization, may be considered by the House on Thursday of this week.

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

There was no objection.

DISCUSSION OF MOTION TO RECOMMIT LABOR-HEW CONFERENCE REPORT

(Mr. QUIE asked and was given permission to address the House for 1 minute.)

Mr. QUIE. Mr. Speaker, I want to make certain that nobody misunderstands that the vote on the motion to recommit, and a number of Members have talked to me about that. That motion to recommit carried because of the effort I was going to make to provide instructions on the title I formula which was knocked out on a point of order. It is the intent of this body that a different title I formula be adopted than that which was included in the last continuing resolution. The House will not accept what the committee proposed in amendment 32 reported in technical disagreement. That I believe is the reason a majority voted for that motion to recommit. I think everybody who is on that conference committee ought to bear that in mind. Stated simply—the House will not accept a State hold harmless at 90 percent of 1972 nor a local educational agency limit of 115 percent of 1973.

IMPEACHMENT RESOLUTIONS

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

Mr. THOMPSON of New Jersey. Mr. Speaker, for the information of the Members of the House, I have today introduced House Resolution 693 which will provide to the Committee on the Judiciary a sum of not to exceed $2 million for such staff work and other investigative work as they will need in order to conduct their hearings on the Vice-Presidency and on the virtually innumerable resolutions relating to impeachment. This will be handled in the usual manner.

I would like to assure those on the minority side that due consideration, as has been our practice, will be given to their staff needs.

CONCERNING THE VOTE TO RECOMMIT THE CONFERENCE REPORT ON LABOR-HEW

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

Mr. SMITH of Iowa. Mr. Speaker, for further edification of the vote on the motion to recommit, it would be well to study the rollcall on that motion. My interpretation is that the major reason for the motion to recommit, which carried, was because the Republican side objected to the conference report for being over the budget. That was the reason the majority of Republicans did not sign the conference report. If the conference report had been adopted there would have been a separate vote on amendment No. 32, which involved title I.

So, what really was at issue on the rate to recommit was whether we reduce the appropriations in the bill—take some money out of the Health and Education before bringing it back here. I think if the Members will study the vote that that is what was at issue.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will state that there will be additional business later, but in the meantime, pending that, the Chair will be glad to receive unanimous-consent requests, but that in doing so this would not be prejudicing the business of the House.

THE VOTE ON THE MOTION TO RECOMMIT THE LABOR-HEW CONFERENCE REPORT

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute, and to revise and extend her remarks.)

Mrs. GREEN of Oregon. Mr. Speaker, since we are apparently waiting for other reports, I take this moment to say that I feel compelled to take exception to a comment that was made a few moments ago that those Members who refused to sign the conference report on the Labor-HEW appropriation bill did so only because they wanted to cut the funds, the total amount in that appropriation bill.

Since I was one of those who did not sign the conference report I wish to state my reason for not signing the conference report was that I could not as a matter of conscience continue to support the formula under title I of ESEA any longer because it seems unsound and unfair to school districts to use figures that are 14 years old. Any study of those who voted for or against the motion today will find that the majority are the ones who supported the Quie motion of about a month ago where the sole issue was allocation of funds under title I. It is really not quite fair to assign other motives.

CLARIFICATION OF MR. GERALD R. FORD'S USE OF THE WORD "MOB"

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

Mr. SYMINGTON. Mr. Speaker, I should like to address these remarks in part to our distinguished and esteemed friend, the minority leader, the gentleman from Michigan (Mr. GERALD R. FORD) for whom I fully expect, as I am sure does practically every Member of this House, to cast a confirming vote when the time comes.

It was with that heartfelt intent in mind that I felt it only appropriate that I give the distinguished minority leader an opportunity to clarify remarks which he appeared to make on the "Today" show this morning. I guess it was a film of a previous press conference in which he had been asked if the editorials and other communications from the public recommending resignation would have any impact on the President. If I am not mistaken, the minority leader said he did not think either editorials or "the mob" would sway the President.

I know my esteemed friend could not have considered letters such as I and other Members have been receiving beginning with, "I have been a lifelong Republican, but" and often going on to say, "Hurry up and confirm GERRY FORD," as emanating from a "mob."

These folks are good Americans, and the minority leader did not intend that. This would give him a chance to clarify for the RECORD and for any interested persons what, indeed, he did mean.

Mr. GERALD R. FORD. Mr. Speaker, I shall be very glad to respond, if the gentleman from Missouri will yield.

Mr. SYMINGTON. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I believe that the remarks were made at a press conference in New York late yesterday afternoon. The question came up because some members of the press asked me, Would the President resign? I have heard him say not once, but a number of times, both in private and in public, that he would not resign and that he intended to continue on the job for which he was elected.

In response to a number of persistent questions, "Will he resign? Will he resign?" I said, "The editorials and the mob"—I used "the mob" in a figurative sense, not in a literal sense—"would not sway his mind." I am sure that the editorials will not change his mind. I am sure that the letters that I am receiving, as the gentleman from Missouri is receiving, are not going to change his mind. He intends to continue, and I was simply responding to the questions that were asked by using as forceful language as I could, and it was because I wanted to emphasize the point.

Mr. SYMINGTON. I certainly understand the gentleman's clarification. The word "mob" tends to carry a pejorative meaning, and a good many thousands of people who watch the show, who may have written letters of that kind, and even urged such action, may have felt designated in that way. I do not think that is what the gentleman had in mind.

Mr. GERALD R. FORD. If the gentleman would like a further clarification, I think that was in my mind was those people who are marching up and down in front of the White House carrying placards, some of which I think are quite abusive and not in good taste.

Mr. SYMINGTON. I thank the gentleman.

INCREASING AUTHORIZATION FOR APPROPRIATIONS TO ATOMIC ENERGY COMMISSION

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 694, Rept. No. 93-630), which was referred to the House Calendar and ordered to be printed:

H. RES. 694

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. 11216) to amend Public Law 93-60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. 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 Joint Committee on Atomic Energy, 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. After the passage of H.R. 11216, it shall be in order to take from the Speaker's table the bill S. 2645 and to consider the said Senate bill in the House.

Mr. BOLLING. Mr. Speaker, I call up House Resolution 694 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry. The request of the gentleman from Missouri was to suspend the rules?

The SPEAKER. It was to consider the resolution. The request is necessary because it takes a two-thirds vote. Otherwise the resolution will have to wait.

Mr. GROSS. It is because the rule was voted on only today?

Mr. BOLLING. If the gentleman will yield, the gentleman is correct.

Mr. GROSS. I thank the Speaker and the gentleman.

The SPEAKER. The question is, Will the House now consider House Resolution 694?

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Does this require a two-thirds vote?

The SPEAKER. The gentleman is correct.

Mr. GROSS. I thank the Speaker.

The question was taken; and [two-thirds having voted in favor thereof], the House agreed to consider House Resolution 694.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. 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. Speaker, this rule was called up in a highly unusual way, because as far as we know there is absolutely no controversy on the rule or the bill that it makes it in order.

I have said things like that before and they turned out to be controversial; but I have checked with some care on this and I do not believe there is even any controversy in a body other than this body on this particular subject.

I believe that everybody in a bipartisan and unanimous way is in agreement that we ought to pass the rule and consider the bill. My understanding is that unless something new arrived, they are going to unanimously pass the bill.

Mr. Speaker, I reserve the balance of my time, unless my friend from Iowa wishes me to yield.

Mr. GROSS. Mr. Speaker, will the gentleman yield for a question or two?

Mr. BOLLING. I yield to the gentleman from Iowa.

Mr. GROSS. Is this an open rule?

Mr. BOLLING. Yes, it is.

Mr. GROSS. I did not hear all of the rule read.

Mr. BOLLING. It is a completely open rule. There are no tricks in this rule that I can detect. It just is absolutely straight forward.

Mr. GROSS. I am sure there are no tricks within the estimable Rules Committee, but I am glad to have that further assurance.

Mr. BOLLING. The gentleman is absolutely correct. There are no tricks that I could detect. I am not going to say the gentleman is wrong in that, but he is certainly correct about the Rules Committee.

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

Mr. Speaker, as the distinguished gentleman from Missouri (Mr. BOLLING) has explained, I know of no controversy on the rule.

The purpose of H.R. 11216 is to provide a supplemental authorization to the Atomic Energy Commission in the amount of $10,700,000 for operating expenses and $30,000,000 for plant and capital equipment.

There are no departmental letters or minority views in the committee report. However, the report does indicate that this bill provides the amounts requested.

I urge the adoption of the rule.

Mr. BOLLING. 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.

INCREASING AUTHORIZATION FOR APPROPRIATIONS TO ATOMIC ENERGY COMMISSION

Mr. PRICE of Illinois. Mr. Speaker, I call up the bill (H.R. 11216) to amend Public Law 93-60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 11216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a) of Public Law 93-60 is hereby amended by striking therefrom the figure "$1,740,750,000," and substituting the figure "$1,751,450,000".

SEC. 2. Section 101(b) of Public Law 93-60 is hereby amended by adding to subsection (b)(1) the following words: "Project 74-1-i, additional waste concentration and salt cake storage facilities, Richland, Washington, $30,000,000".

Mr. PRICE of Illinois. Mr. Speaker, I move to strike the last word.

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

This bill amends Public Law 93-60, the AEC Fiscal Year 1974 Authorization Act, by providing a supplemental authorization for appropriations of $10,700,000 for operating expenses and $30,000,000 for plant and capital equipment. The committee has carefully considered the bill and the committee's recommendations are founded upon the testimony received in executive hearing held on October 30, 1973.

The bill is in two sections. Section 1 would amend subsection 101(a) of Public Law 93-60 by providing an increase of $10,700,000 for operating expenses in the AEC's nuclear weapons program. The Atomic Energy Commission and the Department of Defense testified that this increase is required to provide warheads to meet required production rates of tactical and strategic weapon delivery systems and to produce weapons with security systems of improved design. Although the specific weapons and weapons systems involved have been classified for security reasons, it can be stated that the systems involved do not include the two new artillery-fired atomic projectiles which were requested in the originally proposed AEC fiscal year 1974 authorization bill which were not authorized by the Congress.

The Joint Committee is convinced that the funds requested by the AEC are necessary to fulfill requirements placed on the AEC by the Defense Department to meet national security objectives, and, therefore, recommends that the entire $10,700,000 in supplemental funds requested be approved.

Section 2 of the bill would amend Public Law 93-60 by adding to subsection 101(b)(1) a construction project of $30,000,000 which would provide additional waste concentration and salt cake storage facilities at AEC's Hanford, Wash., site.

A program to convert the Hanford high-level radioactive wastes generated in the nuclear weapons program to the more stable solid form has been underway since 1965, and, thus far, 70 million gallons of liquid have been removed from the waste tanks, with an accumulation of 22 million gallons of solidified waste. This represents approximately half of the estimated final volume of solidified waste at this site. The proposed project would permit this waste solidification program to proceed on an accelerated schedule.

The committee, over the years, has placed the highest priority on assuring that maximum protection to the health and safety of the public and the environment is provided for in the conduct of

AEC operations. The AEC has indicated that prompt initiation of the proposed project would significantly minimize the potential for future leaks at the Hanford site. While there is no evidence that the past leaks have resulted in any hazard to the population or to the water table beneath the Hanford site, it is obvious that the conversion of the remaining wastes into the more stable solid form at a faster rate is a prudent action. Accordingly, the committee recommends that the entire $30.0 million in supplemental funds requested for this project be approved.

Mr. Speaker, I urge favorable consideration of this bill.

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

Mr. PRICE of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. Do I understand that this would require a supplemental appropriation of $41 million?

Mr. PRICE of Illinois. Mr. Speaker, the gentleman is correct in that. Because of the urgency of passing this legislation today, these items are in the supplemental appropriation bill now under consideration by the Appropriations Committee.

Mr. GROSS. And did the gentleman say that it is approximately $41 million?

Mr. PRICE of Illinois. That is correct.

Mr. GROSS. What is the meaning of "salt cake storage facilities?"

Mr. PRICE of Illinois. These are facilities which pertain to the handling and storage of waste materials that come from the operation of nuclear facilities at Hanford, Wash. They are radioactive waste materials.

Mr. GROSS. That is known as "salt cake?"

Mr. PRICE of Illinois. That is correct, the final form of the waste product is known as "salt cake." It is all waste material which the Commission has the obligation to dispose of in a fashion so that there will be no harmful effects to the environment or to the people of the area. It is a waste storage area, and these facilities are a necessary part of the program.

Mr. GROSS. The gentleman said, as I understood him, that this supplemental appropriation is made necessary by virtue of national security. Could the gentleman add to that in any way? How does this add to national security?

Mr. PRICE of Illinois. There is an addition to the nuclear weapons program of $10,700,000. That is the weapons portion of the bill.

Mr. GROSS. The weapons feature of it?

Mr. PRICE of Illinois. That is section 1 of the bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. MARTIN of Nebraska. Mr. Speaker, would the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. Mr. Speaker, I understand in the report that the executive branch of the Government requested these additional funds to be authorized in the supplemental in its letter to the committee of October 23, 1973. Therefore, it appears that the administration is solidly behind this legislation. Is that correct?

Mr. PRICE of Illinois. The gentleman is correct.

Mr. HANSEN of Idaho. Mr. Speaker, I am pleased to support the statement of the distinguished chairman of the Joint Committee on Atomic Energy and to join him in urging a favorable vote on H.R. 11216.

I believe that Mr. PRICE has effectively conveyed to you the content of this supplemental authorization request. The committee has carefully reviewed both the request for additional funding for the nuclear weapons program and for construction project 74–1–i, waste concentration and salt cake storage facilities at Richland, Wash.

As the committee has stated in its report, it is convinced that the funds requested by the AEC are necessary to fulfill requirements placed on the AEC by the Defense Department to meet national security objectives.

With respect to the construction project, I would observe that the wastes to be processed by and stored in the proposed facilities are primarily those resulting from the conduct of our nuclear weapons program. A very small portion, less than 1 percent, of these wastes have come from the processing of civilian nuclear power fuel.

The civilian nuclear power program is growing rapidly and significant quantities of wastes from that program need to be processed, placed in interim storage, and ultimately disposed of. The Commission has underway a program of study and development intended to devise appropriate methods for both interim and long-term storage of waste resulting from the civilian power program. This program is an entirely separate one from the program to process and store the very large accumulation of wastes which have accumulated over the past 25 years from the conduct of our nuclear weapons program. The early funding of project 74–1–i will permit an acceleration of the necessary concentration, solidification, and storage program for this byproduct of our weapons program.

As noted by Chairman PRICE, H.R. 11216 has been reported out by the Joint Committee without dissent. I join him in urging its passage.

Mr. PRICE of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

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

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

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

The bill was passed.

A motion to reconsider was laid on the table.

Mr. PRICE of Illinois. Mr. Speaker, pursuant to the provisions of House Resolution 694, I call up for immediate consideration the Senate bill—S. 2645—to amend Public Law 93–60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

S. 2645

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a) of Public Law 93–60 is hereby amended by striking therefrom the figure "$1,740,750,000" and substituting the figure "$1,751,450,000".

SEC. 2. Section 101(b) of Public Law 93–60 is hereby amended by adding to subsection (b)(1) the following words: "Project 74–1–i, additional waste concentration and salt cake storage facilities, Richland, Washington, $30,000,000."

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

Mr. PRICE of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, may I ask, is the Senate bill verbatim with the bill the House has just considered?

Mr. PRICE of Illinois. Mr. Speaker, it is an identical bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

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

A similar House bill (H.R. 11216) was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 11333, INCREASE IN SOCIAL SECURITY BENEFITS

Mr. MATSUNAGA, from the Committee on Rules, reported the following privileged resolution (H. Res. 695, Rept. No. 93–631), which was referred to the House Calendar and ordered to be printed:

H. RES. 695

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. 11333) to provide a 7-percent increase in social security benefits beginning with March 1974 and an additional 4-percent increase beginning with June 1974, to provide increases in supplemental security income benefits, and for other purposes, and all points of order against said bill for failure to comply with the provisions of clause 4, Rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for

amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means and an amendment proposing to strike out the provisions on page 11, lines 11 through 22 of said bill, and said amendments shall be in order, any rule of the House to the contrary notwithstanding, but said amendments shall not be subject to amendment. 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.

Mr. MATSUNAGA. Mr. Speaker, I call up House Resolution 695 and ask for its immediate consideration.

The Clerk will report the resolution.

The Clerk read the resolution.

The SPEAKER. The question is, Will the House now consider House Resolution 695?

The question was taken; and, two-thirds having voted in favor thereof, the House agreed to consider House Resolution 695.

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

Mr. MATSUNAGA. Mr. Speaker, as in the case of the preceding rule, I realize that we are employing an unusual procedure, calling up the rule on the day that it was reported out by the Committee on Rules. But we are here dealing with an urgent matter, a matter which, unless acted upon, will mean the postponement of the effective date of the increase for social security beneficiaries. Such postponement would mean continued undue hardship for millions of Americans on fixed income who have been unable to cope with the increased cost of living during the last few months.

We have before us a proposal of a two-step increase, a 7 percent increase beginning March of 1974, and an additional 4 percent increase coming in June of 1974. Unless the bill is passed before we go into the Thanksgiving recess, it may mean a postponement of several months of desparately needed additional benefits. We have been assured that the proposed increase is actuarially sound. It was because the Committee on Ways and Means had assured the Committee on Rules that the pending bill would be expeditiously reported to the House that a previous proposal on another bill by way of an amendment was turned down. We now have the opportunity to pass the awaited bill, H.R. 11333.

I wish to inform my colleagues that only the rule will be taken up today. The bill itself, H.R. 11333, will be debated sometime tomorrow and the vote on it will be taken on Thursday because it was scheduled for Thursday.

Mr. Speaker, the resolution before us provides for a modified closed rule, permitting only committee amendments and an amendment to be offered by the gentlewoman from Michigan (Mrs. GRIFFITH) to strike out lines 11 through 22 on page 11 of the bill. All other amendments would be subject to a point of order.

Mr. Speaker, I urge the adoption of the pending resolution so that the House may begin consideration of H.R. 11333 tomorrow.

I now yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN).

Mr. MARTIN of Nebraska. Mr. Speaker, House Resolution 695 provides for 3 hours of debate on H.R. 11333, a bill to increase social security benefits. It waives points of order to comply with the provisions of clause 4, rule XXI, dealing with appropriations in a legislative bill. It permits one amendment to be made, I understand, by the gentlewoman from Michigan (Mrs. GRIFFITHS) to the bill.

The bill would increase benefits to start next March 4, 1974, by 7 percent and effective June 1, 1974, by 4 percent. It also provides for an increase in supplemental social security income from $130 to $140 for a single individual and from $195 to $210 for a couple, effective January 1974.

That is one of the reasons why the gentleman from Hawaii (Mr. MATSUNAGA) called up this resolution so that we could get the bill up before the Thanksgiving recess later this week, because it takes the Social Security Administration, with its computer system, at least 60 days in order to make change-overs. If this bill is not acted upon before the Thanksgiving recess this week, it would not be possible to put this part of the program into effect on the 1st of January.

In addition, it provides for additional pay-ins to the social security fund by those on the payroll on which taxes are paid into the fund, from a maximum earning amount of $12,600 to $13,200 as of January 1, 1974.

Mr. SYMMS. Will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman.

Mr. SYMMS. I would like to ask a couple of questions.

Would this rule allow a person under age 72 to offer an amendment to increase the earnings limitation placed on social security recipients be able to do so?

Mr. MARTIN of Nebraska. It would not be in order.

Mr. SYMMS. It would not be in order?

Mr. MARTIN of Nebraska. That is right.

Mr. SYMMS. Could the gentleman further tell me, if he will yield further, if the members of the Committee on Ways and Means who have proposed this legislation in that committee have had an opportunity to know this rule is being debated here now?

Mr. MARTIN of Nebraska. I could not answer the gentleman's question on that. We were notified in the Committee on Rules that this rule would come back, and whether members of that committee were notified I do not know. I understand the bill will not be debated until tomorrow.

Mr. SYMMS. I was wondering if the gentleman from Hawaii would know if the members of the Committee on Ways and Means are aware of the fact that this rule is now being debated.

Mr. MATSUNAGA. This is a rule requested by that committee. I take it there is no objection to the rule itself. As I stated earlier, the bill itself will not be debated today.

Mr. SYMMS. If the gentleman will yield further, I happen to know the gentleman from Texas (Mr. ARCHER) wrote a very intelligent and enlightened minority view about this particular piece of legislation, and he is not here.

CALL OF THE HOUSE

Mr. SYMMS. With that in mind, Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. 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. 580]

Adams	Diggs	Mathias, Calif.
Armstrong	Dingell	Mills, Ark.
Blackburn	Donohue	Murphy, N.Y.
Brademas	Esch	Nichols
Brown, Ohio	Evins, Tenn.	Nix
Buchanan	Fraser	O'Hara
Burke, Calif.	Frenzel	Patman
Butler	Gray	Powell, Ohio
Carey, N.Y.	Gubser	Railsback
Chappell	Hanna	Reid
Clark	Hansen, Wash.	St Germain
Clausen,	Harsha	Shipley
Don H.	Holifield	Steiger, Wis.
Clay	Jarman	Stephens
Cohen	Jones, Ala.	Stuckey
Conte	Keating	Sullivan
Crane	King	Teague, Tex.
Davis, Ga.	Kluczynski	Tiernan
Davis, Wis.	Landrum	Young, Alaska
Dellenback	Lent	
Dellums	Mann	

The SPEAKER. On this rollcall 373 Members have answered to their names, a quorum.

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

PERSONAL EXPLANATION

Mr. DAVIS of Georgia. Mr. Speaker, I had my hand up and I was in the Chamber on this past rollcall, but I was not recorded.

The SPEAKER. The gentleman's statement will appear in the RECORD.

The Chair under the present practices of the House is without authority to change the vote or announcement of a quorum after the result is announced.

Mr. DAVIS of Georgia. I had my hand up, Mr. Speaker.

The SPEAKER. The Chair apologizes if he did not see the gentleman, but the Members make their presence known by addressing the Chair. That is the only manner in which the Chair has a right to recognize a Member.

Mr. DAVIS of Georgia. Mr. Speaker, that is the manner this Member followed.

The SPEAKER. Did the gentleman take the microphone and address the Chair?

Mr. DAVIS of Georgia. No. I did not take the microphone. I was in the Chamber. I do not know of any rule that requires the Member to take a microphone.

The SPEAKER. The gentleman must address the Chair.

Mr. DAVIS of Georgia. I did.

The SPEAKER. The Chair went 3 min-

utes beyond the 15-minute minimum time. The Chair does not have the authority to recognize the gentleman to make this request.

Mr. DAVIS of Georgia. There is no rule.

The SPEAKER. The precedent has been established with respect to numerous Members of the House under both the old rollcall system and the new electronic system. The gentleman can state that he was present and the House knows the gentleman was present and his statement will appear immediately following the announcement of the Members recorded as present.

Mr. DAVIS of Georgia. Mr. Speaker, is there anything in the rules about a microphone?

The SPEAKER. It is only for the purposes of facilitating the action of the House, that is all, so that the Chair will see Members, but the Chair looked around the Chamber before announcing the result.

Mr. DAVIS of Georgia. I will state this Member had his hand up.

The SPEAKER. The gentleman's remarks will appear in the RECORD.

Mr. DAVIS of Georgia. That is not important, I was in the Chamber. I tried to answer the roll.

Mr. Speaker, I will not be intimidated by regular order requests. I was in the Chamber.

The SPEAKER. The gentleman's remarks that he was in the Chamber, that he was holding up his hand in the Chamber, that he was seeking recognition of the Chair, will appear in the RECORD; but the gentleman cannot be recorded, nor can any other Member, under the practices of this House, if he is not recorded before the vote or rollcall is announced. The Chair has announced this policy on numerous occasions—including April 18, May 10, and June 6 of this year.

The Chair is bound by those rulings and the Chair is going to stand by this ruling, unless overruled by the House. The gentleman's statement will appear in the RECORD.

PROVIDING FOR CONSIDERATION OF H.R. 11333, INCREASE IN SOCIAL SECURITY BENEFITS

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

Mr. MATSUNAGA. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BURTON).

Mr. BURTON. Mr. Speaker, first I would like to state that I think, given the time constraints, that the Committee on Ways and Means has enacted essentially a very thoughtful set of changes to the Social Security Act. However, there is one aspect of this procedure that is potentially disturbing, so that the record can be clear in this one respect, I would like to pose a question to the distinguished gentleman from Oregon (Mr. ULLMAN) the acting chairman of the committee. The question I pose is this:

As I understand the rules of the majority party caucus, there are certain procedures clearly delineated to be followed in the event a closed rule is to be sought. As I understand, the gentleman from Oregon indicated to the Rules Committee that because of this unexpected time crunch and for that reason only, that the seeking and obtaining of a closed rule in this one instance is not intended in any way, nor should it be considered to be a precedent for any future such effort by any committee to seek a closed rule without complying with whatever the ground rules as explicitly stated in the caucus recommends.

Is that essentially a fair statement of the situation?

Mr. ULLMAN. Mr. Speaker, let me say to my friend from California that the sole motivation of the Committee was to meet the timetable that was before the Congress. It certainly is not our intention to change any rules or procedures of any institution in this body, but we were under a time frame of action that demanded that we go to the Rules Committee and get a rule immediately.

I say to the gentleman that we have no present intention but to get this bill passed just as expeditiously as possible.

Mr. BURTON. Mr. Speaker, as I understand the gentleman's response, it is in no way his intention, nor should it be construed by anyone in terms of establishing a precedent in overriding the rule I referred to earlier, is that correct?

Mr. ULLMAN. Yes.

Mr. FROEHLICH. Mr. Speaker, will the gentleman from Hawaii yield for a question?

Mr. MATSUNAGA. I yield to the gentleman from Wisconsin.

Mr. FROEHLICH. Mr. Speaker, as I understand this rule, it is really a closed rule. Will the bill itself prevent a reduction in veterans benefits because of the social security increase in the bill?

Mr. MATSUNAGA. Mr. Speaker, I will say to the gentleman that we are not here proposing a strict, closed rule. It is truly a modified closed rule, we are asking. Amendments may be offered by the direction of the Committee on Ways and Means along with the Griffith amendment which is specifically made in order. All other amendments will be ruled out of order.

Mr. FROEHLICH. Mr. Speaker, as I understand the bill, it does not include a saving clause of veterans benefits because social security is being increased, and an amendment to that effect will not be in order because this is a closed rule?

Mr. MATSUNAGA. Such an amendment will not be in order.

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

Mr. MATSUNAGA. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Speaker, the gentleman knows of course his problem does not lie within the jurisdiction of the Ways and Means Committee. As a matter of fact, in July when we were faced with a very similar problem in conference, we brought up an amendment to the floor which created a great problem with the Committee on Veterans Affairs, which does have jurisdiction. I would point out that there is a time factor involved that gives this body plenty of time for the Committee on Veterans Affairs to bring a bill to bear on the problem. I will say that I very much hope and trust that it will be done, because the gentleman and I both want veterans who are receiving veterans benfits to receive this increase.

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

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

Mr. MAHON. Mr. Speaker, I would like to ask what effect this will have on revenues for the current fiscal year.

Mr. MATSUNAGA. Mr. Speaker, the House earlier in the year approved an extensive saving of $268 million, that will permit increased spending.

Mr. MAHON. As the gentleman knows, we are operating under the so-called unified budget. My question is to what extent will increased spending be taken care of by increased revenues that will accrue as a result of this bill?

Mr. MATSUNAGA. It is my understanding, as reported to the Rules Committee by the chairman of the Ways and Means Committee, that the increases will not in any way disturb the actuarial basis, and the increases are within sound actuarial bounds.

Mr. MAHON. Mr. Speaker, I am not asking the question as to whether or not the fund will be actuarially sound. What I am asking is, will this bill increase spending in this fiscal year by about the same amount as the revenue it will produce?

Mr. MATSUNAGA. Mr. Speaker, I might say this to the gentleman from Texas: We are not now considering matters pertaining to the bill itself; we are considering only the rule now. The bill will not be taken up until tomorrow.

So if there are any questions as to the merits of the bill, I would appreciate the withholding of such questions until the bill is taken up tomorrow. There is no objection to the rule itself from any of the Members of the Committee on Ways and Means.

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

Mr. MATSUNAGA. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Speaker, I would say in response to the question asked by the gentleman from Texas that the fiscal impact on the 1974 budget is $1.1 billion.

Now, I would also point out that this is only because we have a unified budget. The trust funds are contributing surpluses to the overall budget situation this year.

As a matter of fact, it is only because of the trust fund contributions that we have covered up a $15 billion Federal deficit, which is what we had in the current budget, even though it should come out pretty well balanced.

But the deficit is not caused by the trust funds.

We have been very careful to make sure that this is actuarially sound. As a matter of fact, we are putting social security on a much sounder footing than we would if we would not enact this.

In answer to the question, yes, there will be a $1.1 billion impact on the 1974 budget.

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

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

Mr. MAHON. Mr. Speaker, let me be sure I understand this.

Does the gentleman mean it will increase the deficit by $1.1 billion for this fiscal year?

Mr. ULLMAN. The gentleman is correct.

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

Mr. MATSUNAGA. I yield to the gentleman from Iowa. However, if the gentleman has any questions pertaining to the bill itself, I would appreciate his postponement of those questions until tomorrow.

Mr. GROSS. Mr. Speaker, I question the remarks that were directed to the rule, and I will not take but a moment.

I listened carefully to the colloquy between the gentleman from California (Mr. BURTON) and the gentleman from Hawaii with respect to the precedent which this rule would or would not create.

Mr. Speaker, it will not create a new precedent, because this is a precedent that has been in effect for altogether too many years, for the last 10 or 15 years. The precedent is already established that the Committee on Ways and Means, for some reason known only to the Lord himself, always gets a closed rule on the amendments approved by the omnipotent Committee on Ways and Means to be considered on the floor.

Of course, this does not create a precedent. The precedent is already established. This is just perpetuating a bad precedent, a very bad precedent.

Mr. Speaker, I thank the gentleman for yielding.

Mr. MATSUNAGA. Mr. Speaker, I am glad the gentleman answered his own question. There will be no need for my answering the question, except that I disagree with the answer. What the gentleman from California (Mr. BURTON) was referring to is the relatively newly established requirement that the chairman of a committee must publish notice in the CONGRESSIONAL RECORD whenever he intends to seek a closed rule from the Rules Committee. Such notice was not published in this case. However, because of the urgent nature of H.R. 11333, the Rules Committee decided to grant the requested rule. This was done with the complete and unmistakable understanding that the action of the Rules Committee was in no way to be taken as setting a precedent. We are dealing with a purely isolated case calling for emergency treatment.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho (Mr. SYMMS).

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

Mr. Speaker, I would like to ask a question of the chairman of the Committee on Ways and Means.

Although it is not related specifically to the rule, I would like to ask the chairman, will an amendment pertaining to the social security earnings limitation be in order under this rule?

Mr. ULLMAN. Mr. Speaker, the answer is: No, not under the rule.

Mr. SYMMS. Mr. Speaker, I thank the gentleman for his answer. I am sorry it is no.

I think under those circumstances I intend to vote against the rule, because I would like to see this particular part of the social security legislation addressed by the House, and I see no other way to handle this without getting an open rule which would allow an amendment to increase the earnings limitation, on earnings which are so meager, for people who are trying to retire on social security, and can not—but are willing to work and are punished because they engage in productive human activity—known as work.

Mr. Speaker, this is indeed a sad, sorry situation and certainly is not in the best interests of the American people.

They should have an opportunity, I think, to earn more money in order to be able to draw more social security, so I will vote against the rule.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. PEYSER).

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

I would like to address a question again to the gentleman from Hawaii. I want to be clear on one thing dealing with the question of veterans benefits, without getting into the rule itself.

Under the veterans benefits will there be time before this social security goes into effect for the Committee on Veterans' Affairs to make the necessary changes to protect the veterans? In other words, will we have an overlap here, as you see it, where veterans will not get the benefits that they are entitled to?

Mr. MATSUNAGA. Not being a member of the Committee on Veterans' Affairs and not having communicated with the chairman of that committee in that regard, I am not able to answer the gentleman's question.

Mr. PEYSER. I do not mean in any way to be critical of the gentleman.

Mr. MATSUNAGA. I may say this to the gentleman: the Committee on Veterans' Affairs will have until next March to do this.

Mr. PEYSER. In other words, that legislation would have to be passed prior to the March date?

Mr. MATSUNAGA. Prior to the effective date of this act.

Mr. PEYSER. At this time I will say I hope the House will stay in session long enough to get this legislation passed and not do it the way it did the last time when veterans ended up being penalized. This is a typical example of why I feel we should not be taking our 11-day Thanksgiving vacation. This and other vital legislation needs to be finished.

Mr. MATSUNAGA. I am in full sympathy with the gentleman's views.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield such time as he may use to the gentleman from Wisconsin (Mr. FROEHLICH).

Mr. FROEHLICH. Mr. Speaker, although I am not going to oppose this rule at this time, because of the great need for an upward adjustment of social security benefits, I am, for the record, going to express my strong opposition to the closed rule being used in this instance. What we need is an open rule, with a waiver of germaneness as to veterans' benefits, so that the following could be accomplished on the floor by amendments:

First, an increase of more than 7 percent and 4 percent in the benefits paid at the lowest level, or a straight across-the-board increase to all beneficiaries in lieu of a percentage increase, in order to give extra assistance to the elderly people who need additional income most;

Second, an increase in or a total elimination of the earnings limitation on the earned incomes of social security beneficiaries so that earned income will be treated substantially the same as dividends, interests, and rents, in order to aid those who are without assets and must work to supplement their social security benefits;

Third, a contribution to the trust fund, on an actuarial basis, from the general fund, to cover the cost of the increased benefits to those already retired, and those soon to be retired, so that enrollees in the social security program who are presently employed would not have to pay the full cost of increases in benefits for those already retired; and,

Fourth, a protection for veterans and their beneficiaries against reductions in pensions and losses of pensions as a result of increases in social security benefits.

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.

GENERAL LEAVE

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

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

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE A REPORT AND RULE ON H.R. 7130

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight Wednesday to file the rule and the report on the bill H.R. 7130.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 5874, FEDERAL FINANCING BANK

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 58) to establish a Federal Financing Bank, to provide for coordinated and more efficient financing of Federal and federally assisted borrowings from the public, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, how much different is this bill from that which has come back from the Senate?

Mr. ULLMAN. If the gentleman will yield, in no major respect. There are two elements in question. We are hoping that our view will prevail.

Mr. ROUSSELOT. What are those differences?

Mr. ULLMAN. The main point in contention is the one of the guaranteed loans. The other body wanted to include that under the new office of a Federal Financing Bank. It is our judgment that guaranteed loans should not be included at this time, but, rather, at some later time when we may bring them in. We feel rather strongly about that. As far as I am concerned, the House conferees will insist on that.

Mr. ROUSSELOT. What is the other point in contention?

Mr. ULLMAN. They had another agency that they had exempted. I do not have the details on it, but there is another Federal agency.

Mr. ROUSSELOT. You mean it would be exempt from it?

Mr. ULLMAN. From the bill.

Mr. ROUSSELOT. Could we know what that agency is? One of the big reasons for this was to make sure the Treasury Department and this agency under it would control all of this loose financing that is now going on.

How much is that?

Mr. ULLMAN. I would hope the gentleman from California would not hold me to that, but to the best of my knowledge it is the Farm Credit Administration that they want to exempt from the provisions of this bill.

Mr. ROUSSELOT. How much financing do they do in the open market?

Mr. ULLMAN. I am afraid I am not in a position to respond to the request of the gentleman. But I can reassure the gentleman again that the House feels quite strongly on this measure, and we will try to uphold the position of the House.

Mr. ROUSSELOT. In other words, the position of the House will be to include this Agency, Is that correct?

Mr. ULLMAN. As far as I know, the bill that we did pass in the House included the Agency. They are attempting to take the Agency out from under the bank.

Mr. ROUSSELOT. And the House, if this motion prevails, the House will be insisting on that position?

Mr. ULLMAN. All we are doing here now is going to conference.

Mr. ROUSSELOT. I understand that.

Mr. ULLMAN. When we appoint the conferees we will certainly attempt to uphold the position of the House.

Mr. ROUSSELOT. As the gentleman knows, I am not too excited about the creation of this additional bureaucracy, and I firmly believe we could give the authority to the Treasury and it could accomplish most of what we have tried to do. But if the gentleman will assure me that he will make every effort to make sure that we do not have a lot of exclusions from this particular attempt to coordinate, I would appreciate that.

Mr. ULLMAN. The gentleman from California understands that I can only speak for myself as a conferee, but certainly as a member of the conference I will do my very best to uphold the position of the House.

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman for those comments.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oregon? The Chair hears none, and appoints the following conferees: Messrs. ULLMAN, BURKE of Massachusetts, Mrs. GRIFFITHS, and Messrs. SCHNEEBELI and COLLIER.

CHANGE IN LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, in announcing the schedule for tomorrow, may I say that the social security bill will be up tomorrow, and we will do as much of the general debate as we possibly can, but the vote on it will be taken on Thursday.

We are following along with the schedule as announced, except that we have already taken care of the AEC, which has already been taken up and is now out of the way.

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

Mr. O'NEILL. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman was not following the announced schedule when the AEC was called up. The social security bill was programed for Thursday.

Mr. O'NEILL. I understand that, and I stated that when we complete the schedule for tomorrow we will bring up for general debate the social security bill with the vote being taken on the social security bill on Thursday.

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

Mr. O'NEILL. I yield to the gentleman from California.

Mr. GROSS. Mr. Speaker, if the gentleman would yield further to me so that I might complete my inquiry.

Mr. O'NEIL. I will again yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, may I ask the gentleman from Massachusetts why the vote on the social security bill would be postponed then?

Mr. O'NEILL. Because we do not anticipate that we can finish the bill by tomorrow. As the gentleman from Iowa knows, it had originally been scheduled for Thursday, and thus that the vote would be taken on Thursday, and so the vote will be taken on Thursday.

I now yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, may I ask the gentleman from Massachusetts how many more surprises we are going to have? Will we have things coming in under suspension of the rules, and other things? I know that there are a lot of the Members who are anxious to wind things up, but I think in deference to the Members of the House having adequate notification of these matters, I wonder how much more of this procedure can we expect.

Mr. O'NEILL. Of course, as the gentleman from Califfornia knows, the Labor-HEW conference report was sent back to conference today, and that left the House with 2 or 3 hours available. So it was thought best, from the leadership on both sides of the aisle, that we could utilize that time. Some of the matters were not of tremendous import, and while some were of importance, we felt that they could readily be brought before the House in an effort to use part of the time available. We did so by a two-thirds vote. We knew of no objections, and there were no objections, and for that reason we brought the matters up. I do not believe that this was so serious.

Mr. ROUSSELOT. Are there going to be any further major bills that we will have for consideration here by surprise, or under suspension of the rules?

Mr. O'NEILL. We will attempt to follow the schedule as announced, exactly.

Mr. MARTIN of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. I should like to ask the gentleman when may we expect to have the military construction appropriation bill up, then—on Thursday?

Mr. O'NEILL. Thursday.

EMERGENCY PETROLEUM ALLOCATION ACT OF 1973

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the Senate bill (S. 1570) to authorize the President of the United States to allocate crude oil and refined petroleum products to deal with existing or imminent shortages and dislocations in the national distribution system which jeopardize the public health, safety, or welfare; to provide for the delegation of authority to the Secretary of the Interior; and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. HAYS. Mr. Speaker, reserving the right to object, I should like to ask the

distinguished gentleman from West Virginia a question. There is not anything in his bill about rationing of gasoline?

Mr. STAGGERS. No, sir.

Mr. HAYS. This is a mandatory allocation of what—fuel oil?

Mr. STAGGERS. Fuel oil and petroleum distillates and propane gas.

Mr. HAYS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement see proceedings of November 10, 1973.)

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, how many changes have we got here?

Mr. STAGGERS. I intend to elaborate on the differences.

Mr. ROUSSELOT. Will there be elaboration on all the circumstances?

Mr. STAGGERS. There are very few changes. It is mostly the House bill as we had it in the House.

Mr. ROUSSELOT. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER. The gentleman from West Virginia is recognized.

Mr. STAGGERS. Mr. Speaker, with relatively few substantive amendments, the committee of conference has agreed to accept the House bill. Let me comment briefly on the most significant matters agreed to in conference.

As the Members will recall, the House bill proposed to require that the President implement a comprehensive mandatory allocation program providing for the compelled distribution of crude oil, residual fuel oil, and refined petroleum products in a manner which comports with certain congressionally defined objectives. This was to be accomplished within a very short time frame; the President was required to promulgate the program within 10 days of enactment and implement it 15 days thereafter. Your conferees have agreed to a number of amendments which relax the rigid timing requirements contained in the House bill. For example, the President would be given an additional 5 days in order to promulgate the proposed program. Moreover, the President will be permitted to delay the effective date of the program for an additional 15 days with respect to gasoline and with respect to those products already subject to mandatory controls under the Economic Stabilization Act in circumstances where delay is necessary to permit an orderly transition to the allocation program called for in this legislation.

A number of amendments have been made to permit the President additional flexibility in implementing this program. Most important of these is the addition of authority to exempt a product from the mandatory allocation program should the President find that it is no longer in short supply. Under the mechanisms worked out by the conferees, however, provision is made to allow either House of the Congress, by resolution, to override the President's determination and prevent the exclusion from the allocation program of a particular product.

Another amendment deserves special comment. When the House bill was considered on this floor, several Members argued that the program would be unnecessarily complex and administratively burdensome if it were to require allocations of crude oil from producers. Others suggested that such allocations would be necessary to make the program work. A great deal of time in the conference was dedicated to arriving at a resolution of these opposing views. Your conferees believe that the substitute contains a workable compromise.

By its terms, the President would not be required to compel allocations at the producer level if he makes a positive finding that allocations at that level—whether on a national, regional, or case-by-case basis—are unnecessary to accomplish the objectives of the act. The President would, nevertheless, be required to establish equitable prices at the producer level and is given clear authority to compel allocations at that level should he determine, at any time, that it is necessary for him to do so.

Mr. Speaker, I believe the committee of conference has reported a good bill. As I noted, it departs in only minor ways from the House-passed bill and these are principally designed to build in a little more flexibility into the statutory program. In my opinion it does no violence to the clearly defined objectives of this legislation. I strongly urge the House to agree to the conference report.

Mr. COLLINS of Texas. I want to emphasize this. That while I was sitting in the conference I observed that all of the House conferees were very much concerned with whether the House provisions prevailed or the other body's provisions would be the basis of the bill. The chairman of our conference was the chairman of our House Interstate and Foreign Commerce Committee and he did an excellent job as chairman. In the final conference bill we have about 97 percent of the House version. Some excellent changes, were made that came from the Senate, just as the gentleman from West Virginia has said. All changes strengthened the bill because they provided much needed flexibility, which is absolutely necessary.

As everyone knows, this particular bill does not provide one single additional barrel of oil. This is nothing but an allocation bill, and because it allocates shortages it has many, many problems.

One conference improvement is to provide more flexibility in allocation of the crude oil right at the well. Another major improvement was language to help the refineries. Refineries are the basic place for oil assembly, processing and allocation. This bill provides for interrefinery adjustments to take care of the smaller refineries and in places where we had confrontations it basically meets the issue.

This oil allocation is going to be a most difficult process. I do not know whether all our colleagues realize fully what we will be facing within the next 6 months, but one thing that was raised in our conference is something I think we should think about. One of our colleagues in the other body said he thought the emphasis should be on residential fuel oil being given top priority. This is a basic question as we get into oil allocations. Will we, in turn, give emphasis to the fuel oil for residences at the expense of jobs in industry?

This bill does not in any way solve these oil shortages. This House yesterday took a tremendous step forward when we passed the Alaska pipeline bill and we will pass other bills from time to time to provide encouragement for more domestic oil production. We should give larger tax depletion allowances, plus removal of price control at the wellhead for new gas discoveries.

I was completely opposed to this oil allocation bill when we passed it in the House and I still am. But I want to say this is the best bill that could have come out of our conference. I was amazed and enthused as I never anticipated that we would have such a successful conference report to submit to you. Members of the House as well as the other body are all to be congratulated on this conference report on oil allocation.

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

Mr. COLLINS of Texas. I yield to the gentleman from Texas.

Mr. KAZEN. Was it my understanding from the remarks made by the chairman awhile ago that this bill gives the President authority to set prices?

Mr. COLLINS of Texas. If the gentleman will yield, the price situation I think continues as it was.

Mr. STAGGERS. The answer is that it required equitable prices to be set.

Mr. KAZEN. Does it give them any taxing authority?

Mr. COLLINS of Texas. I never heard that question raised.

Mr. STAGGERS. If the gentleman will yield, it does not.

Mr. KAZEN. It does not. I thank the gentleman.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Speaker, I would like to direct a question to the chairman of the full committee. When this legislation was considered on the floor last October the chairman submitted a question to the industries which must obtain natural gas or propane gas for survival. I listened to the amendment when it was offered and it was a very valuable amendment. Is that still in the conference report?

Mr. STAGGERS. It is still in the conference report. The Senate receded. It is still in the bill.

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

Mr. COLLINS of Texas. I yield to the gentleman from Iowa.

Mr. GROSS. Is there anything in this bill that is not germane?

Mr. COLLINS of Texas. As far as I know, everything is completely germane.

Mr. STAGGERS. That is correct. We did not accept things that were not germane.

Mr. COLLINS of Texas. I may say our chairman was very firm about that with the other body. Our colleagues supported him.

Mr. SCHERLE. Mr. Speaker, will the chairman yield for a question?

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

Mr. SCHERLE. I wonder if the chairman can tell me why we are still in the process of sending fuel and oil overseas? In the present critical situation in the United States are we making allocations for countries overseas?

Mr. STAGGERS. I would say this, that the bill I think takes care of the situation. We say all crude oil, residual oil, and refined petroleum products must be totally allocated within the United States to the exclusion of exports if domestic requirements are not satisfied. So this would preclude any oil being shipped out unless such exports were consistent with the objectives of the bill.

Mr. SCHERLE. Mr. Speaker, will the chairman yield?

Mr. STAGGERS. I yield to the gentleman.

Mr. SCHERLE. I am primarily interested in how much oil produced here in the United States is now being shipped outside the continental limits.

Mr. STAGGERS. I do not know, but I do know that all that is produced in this country will be allocated to meet our needs.

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

Mr. STAGGERS. I yield to the gentleman.

Mr. MACDONALD. There is a flat prohibition in the bill that oil cannot be exported from the United States during this period, a flat prohibition in the bill. Under our relations with Canada, it must be exchanged now and then, but the exporting of oil from the United States to a foreign country because it is more profitable is flatly prohibited.

Mr. SCHERLE. How about foreign oil products?

Mr. MACDONALD. It is the same thing.

Mr. STAGGERS. It is the same thing.

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

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

Mr. FLYNT. I was interested in that portion of the colloquy between the gentleman from West Virginia and the gentleman from North Carolina (Mr. TAYLOR) about the mandatory allocation of natural gas and propane gas to industries and companies to whom such allocation would be necessary if they are to survive.

My question is this. There is at least one company and probably others that I know of which require a certain amount of distillates in order to remain in business. The one company that I have particular reference to at this time is one which uses distillates, a large quantity of distillates in welding processes.

I wonder if the company could show that a continued source of supply of distillates is necessary to economic survival of that company, if they could be guaranteed the necessary amount of distillates under this bill?

Mr. STAGGERS. We have retained in the conference substitute exactly what we had on that when the bill passed the House.

For instance, in the allocation of propane gas under the Stabilization Act, the President did not take into consideration the petrochemical industry's needs. I think this is a question that Mr. TAYLOR addressed himself to—we have changed that and we make it mandatory that they would be taken into consideration. The President's program would have to be modified appropriately. I am not sure whether this is what the gentleman was talking about.

Mr. FLYNT. The distillates would be covered as well as natural gas and propane gas?

Mr. STAGGERS. Not natural gas, but propane gas.

Mr. FLYNT. Distillates are included?

Mr. STAGGERS. Yes. Distillates must be allocated under this bill to accomplish defined objectives including the protection of the public welfare and the minimization of economic distortion. It is expected that the President in allocating distillates and other products under the bill will take care to assure that the allocation program will not result in large scale closings of any industry, significant unemployment or serious economic stress.

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

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

Mr. FULTON. Mr. Speaker, I want to ask whether the needs of the petrochemical industry are taken into consideration in the conference substitute. Could the gentleman tell me where this language was included in the conference report?

Mr. STAGGERS. All I can say, this bill does require these needs to be considered. The President must find an equitable balance in allocating products to meet this industry's needs and to otherwise accomplish the objectives of this act.

I yield 5 minutes to the gentleman from Texas (Mr. PICKLE), a member of the committee.

Mr. PICKLE. Mr. Speaker, I appreciate the chairman yielding me this time. The presentation of this conference report comes a little earlier than most of us thought it would be, and I think it caught the chairman by surprise. I find that I am being allocated some time just like they will be allocating on fuel.

However, I do have a question or two to ask, because with all my deep concern about the way this bill originated and the position taken when the House voted on this measure recently. The gentleman from Arkansas (Mr. HAMMERSCHMIDT) had offered an amendment which said, in effect, that where a person or a municipality was cut off from the normal supply of fuel due to an order of a State or Federal agency, that the President may in his discretion take into consideration this fact and make available such fuels as might be required to run that municipally or investor-owned facility.

That would apply to a great many situations of Arkansas or the Midwest area, but it does not cover situations which have happened in my city of Austin, Tex., where we have been on curtailment now off and on all last winter. We are entering into the same curtailment now.

I noticed in the report on page 12 that the committee makes comment about the situation, and in effect it is saying that the President is expected to also make fuel or oil available to a municipality or to a river authority where, even though it had not been brought about by an order of a State or Federal agency, but because they had been cut off, because of an unreliable supplier and the effect is the same, that that city would not be limited to their base at the base period of 1972; and then the President can take into consideration that they have no history of fuel oil, as my city did, except for only 1 month of 1972, and we therefore must be given some relief.

Now, is that the intent of the report? I was hoping it would be made stronger.

Mr. STAGGERS. Mr. Speaker, that is true. It was considered by the conferees and discussed before the conference.

Mr. PICKLE. Mr. Speaker, I hope this is clearly understood by all the conferees, because here we are talking about Colorado River Authority, and the cities of Austin and San Antonio being cut off, because they have no history, and unless they do get it, they would be just as badly hurt as the cities in the Midwest for whom it was intended.

Mr. Speaker, I would also make one other comment, which is that I am pleased to see some change was made with respect to allocating on the producer levels. It does not cover the subject in the manner in which my original amendment to the committee was offered; yet it does give some discretion for the consideration of how we would handle the allocation at the producer level. I think this is an improvement. Obviously, it would have been absolutely impossible to manage producer level allocation with 10,000 or 15,000 small producers. I believe it is a good step. I would have made it stronger and some would have made it weaker, but at least it is a recommendation the administration would be able to handle, so I think it is a good step. I commend the committee for that.

Mr. Speaker, I would say in conclusion, as far as my point is concerned, I have not looked with favor upon allocation of petroleum, or refined petroleum products. I have seen where the difficulties have arisen in the economic con-

trols. I prophesy that the same thing is going to happen in this particular area. I remind the House that we have given the President already full authority to carry out every one of these provisions. I think that they should have done this months ago if this need was as real and obvious as it is today.

The point is, though, that this legislation will not increase the supply of oil by one barrel. This is the weakness of this bill. Throughout the debate, Member after Member has addressed our committee's distinguished chairman, Mr. STAGGERS, and the distinguished member from Massachusetts (Mr. MACDONALD), asking if this industry or this group would be taken care of under the bill. Unfortunately the bill will not solve anyone's problems 100 percent. Everyone is going to be short. Hopefully, false hopes have not been created by this bill.

I can see that the House is going to vote this bill, even though I think that it could have been handled in a better approach. At least, the conference report recognizes some aspects of the problem faced in the oil and gas industry, and I commend the chairman for this recognition and for giving some relief in this conference report.

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

Mr. STAGGERS. I will be happy to yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I just want to clarify one thing.

Apparently this new allocation program is not aimed at charging the present allocation program that is now in force?

Mr. STAGGERS. It would require the President to modify his existing programs to take into consideration many of the things that we felt needed to be taken into consideration, and had it continued the way it was, many industries would have to close, many industries in different categories across America.

Mr. DENT. Mr. Speaker, does the gentleman by this provision still limit so-called allocation to a State in accordance with the consumption of 1972?

Mr. STAGGERS. No. No; we do not. We do not limit it.

Mr. DENT. Mr. Speaker, I will say this to the gentleman from West Virginia (Mr. STAGGERS):

The thing that is very serious, taking into consideration all the homes in our State, is that because of the economic condition, thousands of our citizens are living in trailers, and they have already been told by the retailers and the fuel oil agencies that they are not going to get any allocation.

We have had some very cold weather. We have had some emergency cases already in the State.

Another thing is that they are not taking into consideration contracts on roadbuilding.

We have a brand new factory under construction for the Chrysler Corp., a multimillion dollar contract that has been let. They have been allocated 5500 gallons a month, and the contractor requires 75,000 gallons a month to finish the contract within the contract limitation time.

How do we get around that? Can we do it under these new regulations?

Mr. STAGGERS. Under our new regulations we give the President authority in any emergencies, and especially in heating oil for homes—and this is a home the gentleman is speaking about—to do just what the gentleman is requesting to be done.

Mr. DENT. Does the gentleman know how it is done now. If we have an emergency, these homes have to go to the Government, but they have had no guidelines. They have to send it into Washington, and we have not heard from them yet.

Mr. STAGGERS. I know. This, however, requires a different allocation procedure than at present in effect the Presidents allocation program for middle distillates and propane.

Mr. DENT. Mr. Speaker, I am satisfied that the gentleman is trying to do the right thing about it.

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

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

Mr. LONG of Louisiana. Mr. Speaker, I will ask the gentleman, would the emergency power granted under this proposal relieve this situation?

The Federal Power Commission is requiring industries such as cotton gin industries and seasonal industries, as well as other manufacturing industries, to cut back on the use of natural gas and go to fuel oil. Naturally, they have no historical base on the use of fuel oil, and consequently it is going to take an emergency action on the part of the executive branch to remedy this situation or it will cause very serious damage.

Mr. STAGGERS. Mr. Speaker, in answer to the gentleman, I will say that in situations when, for instance, natural gas has been taken away, the President is required under the program here and under the rules we have set up, to take into consideration all of these industries and try to allocate the fuel as fairly as possible in order to keep industry running.

Mr. LONG of Louisiana. Under the proposed legislation the President would have the authority to do this for industries which have had, as a result of a Federal Power Commission order, to switch from natural gas to fuel oil?

Mr. STAGGERS. We would not only say he may do that, but he would be required to take this into consideration.

Mr. TREEN. Mr. Speaker, will the gentleman yield on the same point?

Mr. STAGGERS. I yield to the gentleman from Louisiana very briefly, because I believe we have answered most of the questions.

Mr. TREEN. Mr. Speaker, I was trying to get the gentleman's attention a while ago when the gentleman from Texas asked about those users of other fuels such as natural gas who were not required by some Government agency to go to another fuel.

Is it the gentleman's understanding under this bill that the intent would be that the President would be required to say to the users, for example, of natural gas, that because they could see a natural gas crisis coming or that natural gas would be an unreliable source, and because he is more or less under compulsion but not required to change to another fuel, that they would be treated just as if a Government order had required them to change to a different fuel?

Mr. STAGGERS. Mr. Speaker, in reply to the gentleman, I will say that he is required to take into consideration the equities here and to make allocations as he determines.

Now, we do not say to him how much, we do not set out any hard and fast rules. I do not believe we could do that for every industry and for every product in America. It would be impossible. It is not up to us to do that. The administration is required to develop the expertise, the knowledge to do this properly and they can get the expertise from all over America. We ask them to take into consideration this situation you are speaking of and take appropriate action.

Mr. TREEN. Mr. Speaker, I thank the gentleman.

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

Mr STAGGERS. I yield to the gentleman from Tennessee.

Mr. FULTON. Mr. Speaker, the conference report emphasises that "in expressing congressional concern with fostering competition in the petrochemical industry, the committee intends to also identify petrochemical feedstock needs as important end-uses for which allocation should be made."

I assume this means that petrochemicals in short supply, such as ethane, ethylene, and vinyls, which are important feedstocks for various industries. For some industrial uses as you know, there are no substitute materials that can be utilized in place of these scarce petrochemicals.

In the production of sound recordings, for example, there is no substitute for vinyls. Inability to obtain vinyls which is so essential to produce recordings, could result in great economic loss to my State of Tennessee.

I assume my interpretation of this section of the report is correct.

Am I right in assuming the interpretation of this section of the report is correct?

Mr. STAGGERS. I may say to the gentleman this bill identifies the petrochemical industry as important end-users of petroleum products. This bill requires the allocation of propane and other refined petroleum products including naptha and benzene when necessary to preserve and foster competition in the petrochemical industry. These are important feedstocks; but the bill does not go so far as to require specific allocation of derivative products such as propylene, xylene and ethylene. We tried to take care of the industry he is interested in. The record industry is a member of the petrochemical industry for which this bill seeks to obtain equitable treatment in a mandatory allocation program.

Mr. FULTON. I thank the gentleman.

Mr. WOLFF. Will the gentleman yield?

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

Mr. WOLFF. Do I understand this bill will cover the question of allocations of propane to bring some order out of the chaos that exists in that industry today where only under conditions of extreme hardship will there be allocations made and a definition of extreme hardship will be detailed and outlined? As it is now there are plants throughout this country that are closing, because they cannot get an allocation of propane, whereas beauty parlors and retail establishments are getting their allocations.

Mr. STAGGERS. That is one of the prime purposes of this bill. We did take into consideration certain uses of propane which were not provided for in the allocation order by the President under the Economic Stabilization Act. We included these needs because we realized that if they were not in there and not taken into consideration properly in the allocation program, there would be many industries that would have to close throughout America.

Mr. WOLFF. I thank the gentleman.

Mr. COLLINS of Texas. Mr. Speaker, I yield such time as he may use to the gentleman from New York (Mr. McEWEN).

Mr. McEWEN. I thank the gentleman for yielding.

I would like to inquire of the chairman of the committee as to one subject.

My own district has experienced a drastic shortfall in petroleum products, because of the June 15 embargo that Canada placed on these products. I have been critical of Canada, and I shall be before one of our committees tomorrow with some testimony that I will offer on the subject. I want to be sure in this bill we are not doing the same thing.

The gentleman from Massachusetts (Mr. MACDONALD) said something on this earlier. Are we still permitting the movement of petroleum products to Canada? We are not arbitrarily going to do what they did to us, are we?

Mr. MACDONALD. If the gentleman will yield, I will say the answer to that question is no. We are not prohibiting it. If you will look at page 21 of the report, you will see we put in specifically there the point that the gentleman is making so that the present economic relationships with regard to fuel and energy between both Mexico and Canada will not be disturbed. It will continue as it is now.

Mr. McEWEN in other words, there are areas in Canada and Mexico where traditionally they have gotten the products from this country?

Mr. MACDONALD. That is right.

Mr. McEWEN. And they will be protected on that?

Mr. MACDONALD. The energy aims of the United States, Mexico, and Canada will go on as they have in the past, because it is to our mutual benefit, to the benefit of both Mexico, Canada, and our own country. We specifically keep it in this bill as shown in the report on page 21.

Mr. McEWEN. I thank the gentleman.

Mr. COLLINS of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. HAMMERSCHMIDT).

Mr. HAMMERSCHMIDT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I wish to just take a minute to thank the chairman and the other conferees for retaining the provision in the House bill that was put in by an amendment that I offered, and which was subsequently adopted by the House. It does recognize that there must be full coordination between the Federal and State policies which control our energy so that the energy requirements of all of our citizens and industries can be protected.

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

Does the gentleman from Texas have further requests for time?

Mr. COLLINS of Texas. Mr. Speaker, I have no further requests for time.

Mr. STAGGERS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. COLLINS of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 348, nays 46, answered "present" 3, not voting 36, as follows:

[Roll No. 581]

YEAS—348

Abdnor
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspin
Badillo
Bafalis
Baker
Barrett
Bauman
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bowen
Brasco
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton
Butler
Byron
Carey, N.Y.
Carney, Ohio
Carter
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clay
Cleveland
Cohen
Collier
Collins, Ill.
Conable
Conyers
Corman
Cotter
Coughlin
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Davis, Ga.
Davis, S.C.
Delaney
Dellenback
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Downing
Drinan
Dulski
Duncan
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Gilman
Ginn
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gude
Gunter
Guyer
Haley
Hamilton
Hanley
Hanna
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kemp
Koch
Kuykendall
Kyros
Landrum
Latta
Leggett
Litton
Long, La.
Long, Md.
Lott
McClory
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
Macdonald
Madden
Mailliard
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Minish
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Obey
O'Brien
O'Neill
Owens
Parris
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pike
Poage
Podell
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Rhodes
Riegle
Rinaldo
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Ruppe
Ruth
Ryan
Sandman
Sarasin
Sarbanes
Satterfield
Scherle
Schroeder
Sebelius
Seiberling
Shoup
Shriver
Shuster
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steele
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Stuckey
Studds
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Towell, Nev.
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waldie
Walsh
Wampler
Whalen
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Ill.
Young, Tex.
Zablocki
Zwach

NAYS—46

Archer
Armstrong
Beard
Bray
Breaux
Burgener
Burleson, Tex.
Camp
Casey, Tex.
Clawson, Del
Cochran
Collins, Tex.
Conlan
de la Garza
Goldwater
Gonzalez
Hammer-schmidt
Hébert
Jones, Okla.
Kazen
Ketchum
Landgrebe
Lujan
McCloskey
McSpadden
Mahon
Milford
Miller
Passman
Pickle
Price, Tex.
Rarick
Rousselot
Runnels
Steed
Steelman
Steiger, Wis.
Symms
Thornton
Treen
Waggonner
Wiggins
Wilson, Charles, Tex.
Wright
Young, S.C.
Zion

ANSWERED "PRESENT"—3

Bell
Schneebeli
Ware

NOT VOTING—36

Anderson, Ill.
Blackburn
Brademas
Brown, Ohio
Burke, Calif.
Clausen, Don H.
Conte
Crane
Danielson
Davis, Wis.
Dellums
Dorn
du Pont
Fascell
Frey
Gubser
Keating
King
Kluczynski
Lehman

Lent	Nix	Shipley
Madigan	O'Hara	Sikes
Mathias, Calif.	Powell, Ohio	Stephens
Mills, Ark.	Reid	Sullivan
Mink	Roberts	
Murphy, N.Y.	St Germain	

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Reid with Mr. Mathias of California.
Mr. Murphy of New York with Mr. Powell of Ohio.
Mr. Sullivan with Mr. Madigan.
Mr. Sikes with Mr. Lent.
Mr. Fascell with Mr. King.
Mr. Brademas with Mr. Davis of Wisconsin.
Mrs. Mink with Mr. Keating.
Mr. Nix with Mr. du Pont.
Mr. St Germain with Mr. Dellums.
Mr. Kluczynski with Mr. Gubser.
Mr. Mills of Arkansas with Mr. Anderson of Illinois.
Mr. O'Hara with Mr. Crane.
Mr. Shipley with Mr. Blackburn.
Mr. Stephens with Mr. Conte.
Mrs. Burke of California with Mr. Lehman.
Mr. Danielson with Mr. Brown of Ohio.
Mr. Dorn with Mr. Obey.
Mr. Roberts with Mr. Don H. Clausen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FISCAL SITUATION AT THE END OF 93D CONGRESS, 1ST SESSION

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

Mr. MAHON. Mr. Speaker, we have now progressed at this session to a point where we can predict rather well what the fiscal situation may be on the date of adjournment.

It is rather clear to me at this time that on appropriation bills handled by the Appropriations Committees of the House and Senate we will be about even with the budget estimates. With respect to spending mandated by the nonappropriation bills, we will be about $5 billion above the January budget. I would point out that the President on October 18, presented an amended budget estimate modifying his January estimate.

My best estimate is that Congress will be over the President's current estimate of $270.6 billion by about $2.5 billion at the end of this session.

On tomorrow I hope to speak in more detail in regard to the fiscal situation.

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

Mr. MAHON. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, does this take into consideration what the gentleman anticipates will be appropriated in the defense appropriation bill?

Mr. MAHON. This takes into account my estimate of all appropriation bills including military construction which will be up later this week, the defense appropriation bill, and the final supplemental, and including foreign aid.

Mr. QUIE. I thank the gentleman from Texas.

VETERANS EDUCATION AND TRAINING ALLOWANCES

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

Mr. DORN. Mr. Speaker, the veterans education and training program for Vietnam veterans is at its peak. Approximately 1,400,000 veterans are in training in over 14,000 educational institutions and 118,000 more in apprentice and on-job training program. The veterans education program is the Nation's greatest Federal scholarship undertaking.

When the fall enrollment period arrives the Veterans' Administration is confronted with an enormous problem of getting veterans programed so that they will receive their education and training allowance. Some problems are cropping up in parts of the country. Our Committee on Veterans' Affairs is making a spot check. Fortunately, the problem does not appear to be serious in every regional office, but there are some problem areas.

We are pinpointing a procedural failure in the new advance pay system. The problem has to do with the addressing and method of delivery of the checks. We plan to take this up with the VA with the hope that the advance pay program can be improved for the next enrollment period.

Of course, there are always some problem cases and we are working on them. Members can help by transmitting names of veterans who have delayed checks to the Veterans' Administration or to our committee. There is an emergency pay procedure that can be used if necessary. Veterans have a right to expect to receive their payment on time so they can properly plan their personal finances.

I am requesting a comprehensive report from the Veterans' Administration as to the status of the advance payment program, as well as information on the number of problem cases currently before VA regional offices throughout the country. We are working closely with the VA regional office in Columbia to handle problem cases which have been reported from South Carolina schools.

Mr. Speaker, we have found that office and the VA throughout the country cooperative and dedicated to solving this problem.

POSTAL EMPLOYEES DAY

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

Mr. HANLEY. Mr. Speaker, today I am introducing a resolution establishing February 20 of each year as Postal Employees Day.

In this age of rising complaints about the quality of the Nation's mail service, we tend to ignore the fact that the Postal Service is staffed by hundreds of thousands of dedicated employees who are giving the American people their best to see that the mail is delivered.

When the Postal Reorganization Act was passed in 1970, it was accompanied by loud hosannas proclaiming the dawn of a new age. The magic wand was going to be waved; all of our mail service problems were going to melt away by magic; and we would be on a break-even basis.

Some, including myself, did not believe this. While we supported reorganization of the Post Office, we felt that the immediate benefits of reorganization had been seriously oversold to the American public. It was simple logic. The postal problems generated by a decade of neglect could not be whisked away overnight no matter how good reform might look on paper.

Therefore, we felt that there would be a rising indignation over poor service from a public led to believe that the impossible could be achieved overnight. Recent experience has proven us correct.

Oscar Wilde, while traveling through the United States almost a century ago, reported seeing a sign over a bar which said:

Please don't shoot the piano player. He is doing his best.

That is what I say when I receive complaints:

Please don't shoot the Postal Employee. He is doing his best.

And I believe it, too. Most of the current problems are not caused by the frontline troops of the Postal Service. I have said it before and I will say it again. This country is fortunate to have the services of the dedicated employees of the Postal Service who process and deliver the mail. Working against sometimes overwhelming odds, they do their dead level best.

To a certain extent, present postal problems were inherited. We are still laboring in thousands of outdated buildings which should have been demolished or renovated years ago. New facilities cannot be built or financed overnight, and this effort will take many years to reach fruition. And, the habits of management are often difficult to change.

But our criticism should not fall on the shoulders of the rank and file. I have visited many post offices since I have been in Congress, and I have never failed to be impressed by the hard work performed by the men and women in the thousands of post offices throughout the country. If it were not for them, the mail would not be delivered at all.

On February 20, 1792, George Washington signed the act which created a permanent Post Office Department under the new Constitution. This day of a new beginning in a new country is a fitting day to honor our postal employees. This resolution will show unequivocally that Congress and the people of this great Nation appreciate the magnificent job which they perform.

"NO" TO HIGHER GAS TAXES

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

Mr. VAN DEERLIN. Mr. Speaker, the President's Energy Adviser, Governor Love, has indicated gasoline rationing may become necessary next spring.

There may be no other short-range solution in the face of oil shortages. If so, we can enthusiastically support controls.

But let us make sure that whatever we do protects the person of modest income. A system of rationing that is both equitable and effective should be possible—imposing proportionate reductions in fuel consumption against rich and poor alike.

At the same time, let us take a long look at another of the administration's stated options, an increase in the tax on gasoline aimed at curbing consumption.

Such a tax would in a real sense be retrogressive, imposing the greatest burdens on those least able to pay. The Cadillacs would continue to roll, while less affluent drivers would be sidelined.

The price of gas is already high anyway, and continuing to rise. In my home area of San Diego the cost of a gallon has gone up by as much as 3 cents in the past 2 months, all following the easing of restrictions by the Cost of Living Council. Generally, these increases reflect markups in the price which dealers must pay wholesalers for the gasoline they sell.

Possibly we will all be called upon to make sacrifices in response to the energy crisis. With just 6 percent of the world's population, the United States today uses 33 percent of the world's energy. Evidence is mounting that we cannot long continue living in that style.

And so, Mr. Speaker, let us make sure that no one is unduly penalized simply because his means are modest.

A 50-MILE-AN-HOUR SPEED LIMIT IS TOKENISM—MORE WASTEFUL THAN GAINFUL

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

Mr. WYMAN. Mr. Speaker, a 50-mile-per-hour national speed limit sounds like a good gas saver, but it is tokenism. Worse still, a nationwide speed limit at this level will be more wasteful than it will be gainful. Why?

Because of time factors involved, for one thing. At 50 miles per hour for example, from Chicago to Boston it will take three trucks on the road to do the work of two at 70 miles per hour on the Interstate System. Contracts still have to be met. And this is to say nothing of the economic waste in time and salaries of the drivers.

The stated reason for a national 50-mile-per-hour limit is a mythical saving of 200,000 barrels of oil daily. But the right hand of the Government does not seem to know what its left hand is doing, because at the same time it would impose the reduced speed to save an alleged 200,000 barrels daily, the same Government is requiring excessively high automobile emissions controls that waste better than a million barrels of oil each day and will waste even more as the standard goes higher.

Cars so equipped get sharply reduced gas mileage. Any citizen with a late model car knows this all too well.

If our people are to be asked to suffer this significant inconvenience in their speed of operation, they deserve at the very least from their Government a responsible legislative program to meet the energy crunch. Congress should reduce auto emissions control levels from 96 percent required by present law to 90 percent. My bill to do this still languishes in the Commerce Committee without an assist from either EPA or the administration.

This action alone would save better than four times the oil claimed to be saved from a 50-mile-an-hour limitation—which itself is illusory as well as a darned nuisance to millions of our citizens.

REPEAL PSRO LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. ASHBROOK) is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, the great costs of the medicare and medicaid programs have resulted in a desire by many to put some type of controls on their expenditures. One forecast states that over the next 25 years the excess of costs over estimates on medicare alone will reach $242 billion. The Professional Standards Review Organizations—PSRO—was viewed by many as an answer to this problem. While I agree that, when possible, costs must be limited, it is also necessary that quality medical care be available to those who depend upon medicare and medicaid. Unfortunately it seems that the PSRO's may adversely affect the quality and amount of care so provided. It also violates the promise Congress made that the Federal Government would not interfere in the doctor-patient relationship.

The legal basis for PSRO is found in sections of the Social Security Act. In this act the stated purpose of the PSRO is to "promote the effective, efficient, and economical delivery of health care services." This goal is one with which few can disagree. The means prescribed to achieve this goal do raise serious questions.

Provision is made in the legislation that medicare and medicaid payments will be made only if the PSRO determines those services to be medically necessary. The condition of medically necessary leads to a strong possibility that there will be a restriction in the quality of care available to patients under medicare and medicaid. This restriction could result from an inhibition on the part of the physician to give his patient optional or supplementary treatment particularly if such treatment is not the usual procedure.

Another provision of the legislation necessitates the use of the most economical type of facilities. The physician would seem to be called upon to provide the least expensive care rather than the best. The legislation would make physicians handling medicare and medicaid cases dependent on following federally approved standards. Official guidelines could very easily take the place of a physician's judgment. Through provisions of the PSRO legislation, it would be necessary to apply computerized averages as a primary evaluations factor in the care, diagnosis, and treatment of patients. This raises a serious problem as medical care deals with human beings who have unique physiological and psychological needs.

The legislation allows the PSRO's to examine a doctor's patient-care records. This is totally offensive. Also, the Secretary of Health, Education, and Welfare can request review records. It would seem that the confidential nature of the doctor-patient relationship for those relying on medicare and medicaid could be seriously compromised.

Other provisions of the law would seem to create more bureaucratic regulations, more requirements for doctors to be concerned with recordkeeping than with patient care and less ability for a physician to prescribe treatment or medication that may be required by a patient. We must tread very carefully when the issue is of such a basic nature as medical care and the doctor-patient relationship.

For the reasons outlined above I have introduced a bill—H.R. 11394—to repeal those sections of the Social Security Act which mandate PSRO. I do think that ways must be found of controlling the rapidly increasing costs of medicare and medicaid, but these means cannot be at the expense of the elderly and others who depend upon medicare and medicaid for their medical treatment. This legislation setting up PSRO's was well-intentioned. Nonetheless, it has caused and will cause more difficulties than it has solved.

The language of the bill follows:

H.R. 11394

A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of Professional Standards Review Organizations to review services covered under the medicare and medicaid programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part B of title XI of the Social Security Act (as added by section 249F of the Social Security Amendments of 1972) is repealed.

SEC. 2. Title XI of the Social Security Act is further amended—

(1) by striking out "AND PROFESSIONAL STANDARDS REVIEW" in the heading; and

(2) by striking out "PART A—GENERAL PROVISIONS" immediately before section 1101.

EXPLANATION OF H.R. 11394

H.R. 11394 is currently in Ways and Means Committee. It would repeal that section of the 1972 Social Security Amendments by which the Congress authorized the establishment of professional standards review organizations—PSRO's—to oversee the care given by physicians and health care facilities for which the Federal Government will be financially responsible. The portion which would be repealed—Section 249F of Public Law 92-603—begins on page 101 of the published act and includes sections 1151 through 1170 of the Social Security Act as amended.

Public Law 92-603 was passed as the Social Security Amendments of 1972 and the PSRO section—249F—received little attention. The bill was introduced in the Senate by WALLACE BENNETT of Utah. Implementation is to be completed by January 1, 1974, with the designation by that date of certain groups which are to serve as Professional Standards Review Organizations.

The American Medical Association vigorously opposed the passage of PSRO legislation, contending that it would standardize health care at the level of the lowest denominator.

To date there has been a marked lack of success by the Department of Health, Education, and Welfare in getting regulations drawn and adopted. This is due to first, intragovernmental squabbling between HEW's Office of Professional Standards Review—OPSR—and the Social Security Administration over control of the program, and second, complaints that OPSR is understaffed to meet its obligation. These factors contributed to the recent resignation of Dr. William Bauer as head of OPSR. Dr. Charles Edwards, assistant secretary, has stated, however, that HEW is fully committed to meet its olbigation to have PSRO's designated and regulations established by January 1.

There is increasingly vocal opposition to PSRO legislation within the medical profession as the date for implementation approaches. It is the current position of the American Medical Association—which still vigorously opposes the law—that the profession itself should cooperate in implementing the law "so doctors can control it" as much as possible. There is some question, however, whether the AMA's constituency is willing to go even that far.

Mr. Speaker, it was the stated purpose of the PSRO section of the social security amendments to "promote the effective, efficient, and economical delivery of health care services."

Following is an itemizing of problem areas in the PSRO section of the social security amendments, together with my "criticism" which explains what the problem is. H.R. 11394 is the only practical way of meeting these serious objections:

First. Medicare and medicaid payments are to be made only if Professional Standards Review Organization determines the services to be "medically necessary." Section 1151(1).

CRITICISM

It is contended that limitation of health services to those determined to be "medically necessary" will restrict the quality of care available to patients by inhibiting a physician in the exercise of his best judgment with respect to the use of optional or supplementary treatment. If the form sheets state that procedure A is the accepted usual procedure, a physician may hesitate to use procedure B, which he favors, for fear that either he or the patient will not be reimbursed. In addition, it is argued that, by definition, medical progress can result only from a physician's use of techniques or procedures not currently standard.

Second, medicare and medicaid payments to health-care facilities will be made only when, and for such periods as, such services cannot be provided as well on an outpatient basis, or more economically in a different type of facility. Section 1151(2).

CRITICISM

This provision places a burden on the physician always to provide the least expensive care, rather than the best. If he provides hospitalization, extended hospitalization, or enrollment, in a more expensive facility than the least expensive available, he would be required to demonstrate in each case that the care available otherwise would be of lower quality. Otherwise neither he nor the patient would be reimbursed.

Third. The Secretary of HEW shall appoint professional standards review organizations to determine that the provisions of the law are fulfilled. Prior to January 1, 1976, such organizations must be drawn from professional medical or osteopathic associations; after January 1, 1976, the job of reviewing professional medical standards may be given to any other public or private nonprofit group if the Secretary decides the medical group is not performing to the Department's satisfaction. Section 1152(c)(2)(C).

CRITICISM

Although the bill provides that, at first, review shall be in the hands of medical practitioners, the duty of those practitioners will be to apply federally-approved standards, and if they do not do so, they may be removed. Thus, the medical practitioners who make up PSRO's will be merely enforcement officers and will not actually control the review of their peers.

Fourth. An organization of doctors that requests to serve as a PSRO may be awarded a contract to do so unless 50.1 percent of the practitioners in the area object to the organization as unrepresentative of the doctors in that area. Section 1152 (f)(2).

CRITICISM

Half of the doctors in an area could respond that a group of physicians who have been appointed to the PSRO function do not represent the physicians of the area, and the objection would be insufficient. Already a number of groups of doctors—not medical societies—are forming into foundations or other structures for the purpose of assuming the PSRO contract.

Fifth. Each PSRO shall have the authority to determine in advance whether it will authorize reimbursement for any elective admission to any hospital or other health care facility, or for any extended or costly treatment. Section 1155(a)(2).

CRITICISM

A physician might determine that he wishes to have a patient hospitalized because his professional judgment warns that a certain procedure should be performed—even if the case is not yet at a critical point—or he might determine that a patient should be placed in a facility with nursing attention because of possible complications due to the individual nature of the patient. If such procedure is not authorized by the Department's official guidelines, he may be effectively denied the right to these or similar services for the patient by being told he will not be paid for the treatment and that the patient will not be reimbursed for bills sent directly to the patient.

Sixth. The PSRO will have authority to examine a practitioner's patient care records and inspect the practitioner's office. Section 1155(b)(3)(4), and the PSRO will make its review records available to the Secretary of Health, Education, and Welfare at his request. Section 1155(f)(1)(B).

CRITICISM

A patient tells his doctor many things of a confidential nature—about his job, his income, his sex life, et cetera. The law has always recognized the confidential nature of the doctor-patient relationship. This law not only requires third parties—the PSRO's—to investigate the records, but to turn them over, at request, to the Federal Government.

Seventh. Each PSRO shall apply professionally developed norms of care, diagnosis and treatment based upon typical patterns of practice in its regions—including typical lengths of stay for institutional care by age and diagnosis—as principal points of evaluation and review. Section 1156(a).

CRITICISM

First. Although each patient is physiologically and psychologically unique, and each will thus respond differently to different modes of treatment, each PSRO is required by law to apply computerized averages as the primary evaluation factor. Second, limitation of these points to the "principal points" of evaluation leaves a loophole for approval or disapproval based on availability of less expensive care.

Eighth. The PSRO shall apply regional, rather than local, standards, and unless approved by a national council may not apply, instead, the actual norms for the area. Section 1156(a), and no Federal funds shall be used in payment for care given which did not meet the regional standards if—the PSRO has notified the patient who was provided, or to whom the doctor proposed to provide, the questioned services. Section 1158(a)(2).

CRITICISM

In addition to refusing to pay for the care, the PSRO will notify the patient that the care he was given was not consistent with Federal standards. In such a case a physician, even though he may have been exercising sound judgment and providing good care, will be made to look bad in the eyes of his patient or prospective patient. Thus a physician's reputation may be greatly damaged, undeservedly.

Ninth. If the amount of money in con-

tention is less than $100, there is no provision for appeal from the ruling of a statewide PSRO council; if the amount is more than $100 and less than $1,000, there is provision for appeal to the Secretary of Health, Education, and Welfare. Only for amounts greater than $1,000 is there provision for judicial review.

CRITICISM

In the great majority of cases, the ruling of the PSRO or the Secretary will be final and unappealable.

Tenth. A practitioner or hospital shall be responsible for seeing to it that the medical necessity of treatment rendered can be documented, evidentially. Section 1160(a)(1).

CRITICISM

This will require already overworked doctors to assemble supporting data to defend treatments rendered. This will effectively force physicians to limit their care to the standards prescribed by the Department.

Eleventh. A hospital shall have the responsibility not to admit a patient unless it determines that the care to be provided is medically necessary and cannot be provided more economically elsewhere. Section 1160(a)(2).

CRITICISM

A hospital will be hesitant to admit a patient if the care is not standard; even though a physician may be willing to proceed, and the patient may agree, the care may be effectively blocked by a hospital's refusal to admit. The hospital, usually run by lay administrators, not doctors, is placed in a position of being able to second-guess proposed medical treatment and, in practical effect, to force a physician to render treatment consistent with the hospital's judgment rather than his own.

Twelfth. If a physician "flagrantly" violates his obligation to perform care in keeping with the national standards, even one time, he may be excluded from reimbursement under social security—this is, for medicare and medicaid—or may be fined up to $5,000.

CRITICISM

These harsh penalties—especially for a physician in an area largely populated by the elderly—will effectively force physicians to provide care in keeping with national computerized norms because the penalty for failure to do so will be too severe to risk.

Mr. Speaker, there seems to be no end that the bureaucracy will not go to bring about control of medical services. The promise of the Congress when medicare was enacted that the Government would never be involved in setting fees or intrude in the doctor-patient relationship has been broken. The Congress must take affirmative action to reverse the paper shuffling trend in Federal bureaucracy which can do nothing but reduce the standard of medical service. H.R. 11394 will be a first and decisive step in the direction of freeing American medicine to go on and do the job it has always done, that of providing the highest standard of medical care in the world.

OUR MIA'S MUST BE ACCOUNTED FOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 10 minutes.

Mr. KEMP. Mr. Speaker, in July, after returning from my third trip to Southeast Asia, I stated that my personal visit to the area had reinforced my determination that we must not rest until each MIA is either accounted for or returned to his family. Today, 4 months later and 10 months after the signing of the Paris Peace Agreement, the families of 1,233 American servicemen and 20 newsmen still face the day-to-day anguish of not knowing the fate of their loved ones.

Mr. Speaker, I have received the following letter from one of these MIA mothers, which describes as no one else possibly could, the suffering of our MIA families:

DEAR CONGRESSMAN KEMP: I read in the Congressional Record your ideas on the question of our men missing in action. No one can know what the families are going through. We find ourselves wondering about our Bob and because they were never able to land and look for him our lives are not worth living. Time doesn't help any. If we had lost someone in death and had a burial things would be different and learning to cope would come in time. We live like a yo-yo, we are up and down but never settled down to accept what happened because we don't know for sure. Some days he is alive and we plan his return with lists of things to tell him and then we realize if he lives his suffering may be too much and we have no right to hope. With other children to raise it is necessary to try to pretend all is normal. Our little daughter who is 12 years old stopped learning the day her brother was missing and has had to go to special classes. I have gone to a mental health clinic and have totally forgotten how to make patterns which as a dressmaker my days of making a living are over and I used to have two shops and employ 12 people.

This country must do all they can to make life liveable for 2400 families and the only way it can happen is to find their loved ones remains and bring them home or of course alive would be wonderful. I believe our country owes us this. The boys were the cream of our youth and could have gone to Canada instead. Let's prove all that they believed in was worth it.

Sincerely,

MARJORIE PICKETT.

Mr. Speaker, how could this Nation ever raise a military force again, if we forget those who are still unaccounted for?

Mr. Speaker, Secretary Kissinger was recently questioned by Senator CHURCH concerning the accounting of our missing men. I believe his answer is worth noting:

I do not believe, Senator, that any of them have been accounted for adequately. It has been one of the unsatisfactory aspects of the implementation of the agreement. If they have been accounted for, it has been through the testimony of prisoners who could give us some account of, say, the death of a person who was missing, or some other disposition. The North Vietnamese were supposed to permit American teams to go to the grave sites and to exhume bodies and to give us other information.

When I was in Hanoi in February, I brought some 80 files of individuals who, we had reason to believe, had been captured. In some cases, these included pictures of individuals who looked like the missing persons, who had been seen being captured or in some prisoner group. In other cases, we gave very detailed circumstances. They told us they would make an immediate investigation. So far we have not had any results of that. Other files have been turned over to them of the best information we have. The only cooperation we have received is the visit to one grave site of, I think, some 23 Americans who died in captivity in North Vietnam. I am not absolutely sure that that number is correct. It has been one of the most unsatisfactory aspects of the implementation of the agreement. In Laos, actually, we have more reason for concern, because the ratio of prisoners to those that we have reason to believe parachuted is smaller than it is in any other part of this area. We have been promised that, upon conclusion of the agreement which is now in the final stages of being negotiated, we would be given the opportunity to search in Laos.

It may be somewhat easier to do it there because the agreement should produce, or is designed to produce a central government not under North Vietnamese control.

But the answer to your question, Senator, unfortunately, is that we are extremely dissatisfied with the results of the implementation of that part of the agreement, and that it is one of the reasons why we cannot proceed in certain other areas such as economic aid negotiations.

Secretary Kissinger has also stated that search teams from the Joint Casualty Resolution Center located in Thailand have conducted operations in Government-controlled areas in South Vietnam and have found some remains on the basis of which some cases may be resolved. Regrettably, however, the other side has refused to cooperate in this effort and has effectively barred the JCRC from searches in Communist-controlled sections of South Vietnam as well as in Laos and North Vietnam.

On June 13, 1973, in a joint communique signed by the Democratic Republic of Vietnam and the United States, the two parties reaffirmed their solemn commitment to implement fully the January agreement, including in particular the provisions for accounting of all the missing in action throughout Indochina.

On July 29, 1973, the U.S. Government delivered a diplomatic note to the Democratic Republic of Vietnam strongly protesting the continuing failure of North Vietnam and its allies to fulfill their obligations and calling for prompt action by the Communist side.

When the Paris agreement was signed, North Vietnam agreed to assume responsibility for the release and accounting of all missing and captured Americans—and members of allied forces—throughout Southeast Asia. Article 8B of the agreement also stipulates that all parties to the agreement will "help each other" obtain information about the missing, determine the location of graves of the dead, and facilitate the exhumation and repatriation of remains of the dead.

But even though the U.S. Government has given the other side complete lists of missing American personnel and news-

men and requested information about these men, no information has been provided. Similarly, the U.S. Government has repeatedly sought to arrange the repatriation of remains of the 60 Americans the other side claims died in captivity. But not one body has been returned.

Why have the bodies of the 60 men the other side identified as having died in captivity not been returned to their families? Why cannot immediate arrangements be completed to return these bodies? Why?

Mr. Speaker, when the Communists listed the Americans who were to be repatriated, the list included only 47 men to be repatriated out of a total of 1,334 missing in action. Ten other men previously identified as missing also were included on the list of those who died in captivity. This means a total of 57 MIA's, or less than 4 percent of all of the missing, were accounted for.

What happened to all of the others? The men Hanoi claimed to capture are either still alive or they are dead. If alive, they are still being held captive. If dead, there would be no apparent reason for the other side not to list them among the 60 other Americans who they admit died in captivity. But one thing is certain: Since some of the men were photographed in captivity; since the North Vietnamese took ID cards from other men; and since Hanoi claimed the capture of other specific individuals—Hanoi has to know if they are alive or dead.

And what happened to all of the other "missing"—the American servicemen and journalists? When they disappeared under circumstances that pointed to the strong possibility of their capture—and their bodies were not recovered in subsequent searches of the area—it is difficult to believe they just disappeared into thin air.

Where are those men who were captured, and who were not returned to us, who were not listed among the dead, and about whom the other side has furnished absolutely no accounting of any kind? Where are they?

Where are the more than 300 men listed as missing in Laos, about whom we have no information of any kind? Why has no information been provided on those taken prisoner in Laos and of whom we have capture-photographs—the strongest possible evidence that they were, indeed, captured? Where are they?

Why are our search and investigating teams being denied the right to enter areas where most of the missing disappeared? Why cannot they be given immediate access to these areas where the men were last seen alive?

A number of my colleagues and I—in a bipartisan effort—have introduced a resolution which calls upon the United States to request other nations to join in a demand that the Communists live up to the Paris Peace Agreement, for the resolution to be considered for adoption at the next session of the United Nations General Assembly and to express congressional support for the President to demand that North Vietnam comply with the agreement.

It has been stated that there is little that we in the Congress can do to help resolve the question of our MIA's and bring to an end the suffering of their families. Mr. Speaker, this is one thing we can do. We can speedily pass this resolution to show the world we will never give up until every one of our MIA's is accounted for.

Mr. Speaker, the recently signed Laos accords, which require the release of all prisoners captured and held in Laos, hold forth new hope to the families of the many missing in action in that area.

This week, I met with Col. Scott Albright, executive director of the National League of Families of American Prisoners and Missing in Southeast Asia, and he reported to me that during the period of October 8 to the 22, 53 members of the league visited Bangkok and Vientiane, Laos, for the purpose of establishing a family "vigil."

Eleven MIA family members from my State of New York were among the delegation: George Brooks, Barbara, Josephine, and Vincent Christiano, Verna Creed, Mrs. Mafalda DiTommaso, Peter and Florence DeWispelaere, Linda and Kathleen Fanning, and George W. Shine.

The MIA families wanted to be in Vientiane on the 14th of October, the deadline under the September protocol at which time both sides were to exchange numbers of prisoners held by nationality and a list of those who had died in captivity.

Unfortunately, the schedule slipped and the lists have not yet been exchanged. Delegations from the families group were able, however, to meet with representatives from the Russian, Chinese, and North Vietnamese Embassies, the Pathet Lao, the ICC, and the International Red Cross.

In Bangkok, the delegation met with the South Vietnamese Ambassador and the new Thai Foreign Minister. Members of the group flew to places such as Savannakhet, Pakse, and Luang Prabang, where they talked with refugees from the areas where many of the crashes took place.

Although the group was unable to find out about specific individuals, Colonel Albright tells me that the feeling was that the trip was a success in many ways in that contacts were established which might prove to be very valuable in the future.

Mr. Speaker, our Government must make clear to the Pathet Lao our country's strong interest in the release of all remaining U.S. prisoners, with fullest possible information on the missing, both at the earliest possible date.

In Cambodia, vigorous efforts must continue to satisfactorily resolve the fate of the 20 missing newsmen, including Welles Hangen, Sean Flynn, and others.

Mr. Speaker, the National League of Families of Prisoners and Missing in Southeast Asia, the Committee to Free Journalists Held in Southeast Asia, the Youth Concerned for the 1,300 Missing in Action and other responsible organizations, whose dedicated members have been working untiringly on behalf of the missing Americans and their families, need, and deserve, our unqualified support.

We owe to the families of the MIA's the same debt that we owe to the families of the POW's and to those who gave their lives in combat. This debt must not be left unpaid.

Mr. Speaker, I include for the RECORD and commend to the attention of my colleagues a Washington Post article by Patricia Hangen, "They Take Risks To Get Us the Facts," the story of the newsmen still missing in Cambodia:

[From the Washington Post, July 30, 1973]

THEY TAKE RISKS TO GET US THE FACTS

(By Patricia Hangen)

Among the hundreds of men still missing in Southeast Asia as a result of the Vietnam war is a group of international journalists who were not directly involved in that war but were reporting its events to the world. They were unarmed non-combatants, trying to get at the truth of what was happening. They disappeared in the midst of their story and no word has been heard of them since.

Now evidence has come that these journalists, most of whom have been missing in Cambodia for more than three years, are indeed alive and are being held prisoner in Cambodian jungle camps.

At least, some of them are alive. They were seen. They were heard. And, most important, they are being complained about. Whenever you hear a good solid gripe, you can be sure there is something substantive behind it.

These new reports come mostly from returned South Vietnamese ARVN prisoners who were held in camps near the newsmen. They were told that "foreign journalists" were in other areas of the compounds. They say they saw bearded "long-nosed" Caucasians doing roadwork and tending pigs. They complained that these foreigners were getting better food and better treatment. It made the South Vietnamese angry.

The new sightings excite and encourage the rest of us because they tell us that our men live. Or were alive in March this year, at least, before the bombing resumed over Cambodia.

Twenty international newsmen are missing in war-torn Cambodia. Seventeen disappeared in the spring of 1970. They were reporting the war's expansion for television, international wire services, radio and magazines. Three are American, including my husband Welles; seven are Japanese, four French, one German, one Austrian and one Swiss. Last year, two more Americans and an Australian disappeared. (Other Americans missing are Alexander Shimkin of Newsweek; Terry Reynolds, United Press International; Dana Stone, CBS News; and Sean Flynn, Time.)

Other than the important knowledge that most of our men were seen captured alive, we have had nothing to go on except for an occasional sighting without description or identity, for 37 months.

But now we have new facts. They are slim, but they are solid.

One returned ARVN Vietnamese soldier says that he was walking on Route 7 about 17 miles south of Snoul in eastern Cambodia a year ago along with 120 other ARVN prisoners, guarded by 30 North Vietnamese, when two Honda motorcycles pulling wooden carts, country-taxi fashion, passed by an unobstructed distance of a few yards. He saw six long-haired bearded Caucasians under guard in the two motorcycle taxis. The soldier asked his North Vietnamese guard if the men were American advisers and was told: "No, they are correspondents of the imperialist side."

Another ARVN prisoner relates a conversation he had with a Vietcong captain during his detention in a camp near Mimot in eastern Cambodia in July 1972. The captain said that the Vietcong had captured and were holding American, Japanese and French

journalists. He even said that some of the journalists had cameras.

A Cambodian national who spent 15 days of June 1972 in a guerilla camp run by Prince Sihanouk's FUNK soldiers in eastern Cambodia says he saw 10 Caucasian detainees who were identified to him by camp guards as foreign journalists. The camp was situated in a former Royal Cambodian Army compound adjoining an unused airstrip just south of Route 13 in Kratie Province. Our informant says he believes the camp was being used as a regional headquarters of the Sihanouk forces and not primarily as a prison camp. He was able to watch the Caucasians at various times from a distance of a few yards and says that they were well treated by the Cambodian guerrilla forces and had adequate medical care and food. He reports that the 10 alleged journalists were housed in a long stucco building and was told that each man had his own partitioned compartment. There were 28 Cambodian prisoners held in the same camp but none was allowed to mingle with the Caucasians. This informant also says that he was told repeatedly by camp guards that the Caucasians were foreign journalists.

Another report comes to us as recently as March of this year. An ARVN soldier then detained by the North Vietnamese also in eastern Cambodia says he was told by one of his guards that foreign journalists were being held somewhere in the area. It is interesting to note that although these ARVN soldiers were captured in South Vietnam, they were taken to prison compounds in Cambodia for detention. All of our information concerning the missing journalists comes from Cambodia. We believe, therefore, that our men are still there.

Full credit for bringing these facts to light goes to the Committee to Free Journalists Held in Southeast Asia, a group headed by Walter Cronkite. One member, a young American newsman named Zalin Grant, travelled to Saigon and Phnom Penh and interviewed over 3,000 ARVN returnees and others to get this information. Thanks to Grant's zealous search for his colleagues, we now can say: "We now know that our men are alive and being held prisoner. We want to know why. We want them located. We want them released and we want them home."

For three years, journalists, statesmen and concerned individuals and groups in many countries have probed steadily for information and prodded for the release of the missing newsmen. Never before have journalists been detained, with no word of confirmation of their capture or explanation of their fate. All over the world voices have been raised demanding answers. Detention of newsmen deprives people on every side of the political spectrum from getting the facts. Silencing reporters stifles the truth. Or, in this case, diminishes—at least for a while—the number of voices bringing us the truth.

Why this infringement of freedom of information? Why were these newsmen on the spot in the first place? Why did they take the risks that whole life work has been devoted to one belief; a belief in the right of the world's people to be accurately informed about the events which affect us all. He believes that truthful information gives each the knowledge necessary to assess the rights and wrongs of what goes on around us, to determine the responsibility each has to strike out against the wrongs. We can't get all the truths ourselves. But good, dedicated newsmen and women can and do, for us.

We were together in Phnom Penh the week before Welles disappeared. We talked a lot about the dangers of reporting a war especially where information is not easily available and newsmen must go into the countryside and see for themselves.

"We always ask," Welles explained to me. "When we drive along a road, we ask in every village, at every checkpoint. If there's hostility around, we go back. Nobody's looking for trouble."

But on May 31, 1970, they found it anyway. Welles and NBC cameramen Yoshihiko Waku and Roger Coine slowed their car at a Cambodian army checkpoint on Route 8 leading toward Takco to ask their usual questions, but they were waved through. With no warning, they drove straight into an ambush. But we know they survived and were taken prisoner by Vietcong soldiers. They were seen being led off into the jungle. We have heard nothing specific since—until now.

No one knows which newsmen may be those seen by Zalin Grant's returnees. I pray that all 20 are involved. We know, in any case, that some are indeed alive and are being held prisoner. We must help them to come back.

Certainly most reporters who involve themselves in covering foreign wars, and indeed our own problems and scandals at home, share Welles' belief. Each day they take risks to get us the facts we need. Without such facts we would feel helpless and consequently apathetic. But with them we can make up our own minds about what is right and what is wrong and do something about it.

If we don't, if each of us doesn't do his own part to make our world better, then the 45 newsmen who died in Southeast Asia while trying to supply us with the knowledge they considered it our right to have—and the 20 newsmen who are still waiting in Cambodian jungle camps for release and the opportunity to continue reporting the truths we *need*—will have died—or waited—in vain.

I plead for their release. Even more, I plead for each of us to understand the responsibilities these men have been trying to make clear to us, and to do what we can to act. Nothing will please Welles and the other missing newsmen more when they return than to know that we have been doing this, and that these three years have not been entirely wasted.

VOTE ON THANKSGIVING RECESS—AN EXPLANATION AND A PLEA FOR REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. CLEVELAND) is recognized for 5 minutes.

Mr. CLEVELAND. Mr. Speaker, I have taken this special order to discuss my reasons for voting in favor of the resolution to recess Congress for the Thanksgiving week. Out of respect for those who have voted not to recess, I want to express my reasons for voting in favor of the resolution.

Two or three weeks ago, this RECORD indicated that the leadership planned to recess for Thanksgiving week. With this information at hand, I made plans to hold office hours and meetings in areas in my district that I believe require my presence because of problems that exist in those areas.

There have been many weeks in which we have not been in session on a Friday or a Monday, or sometimes both. But the days when we are not working in Washington are never announced in advance, which make it impossible for a Member to make effective use of them for planned visits in his district.

I have long felt that a major weakness of Congress has been the failure of the leadership to schedule our work in Washington more definitely, and further in advance. This is strengthened by my belief that a very important function of a United States Representative is to make himself available in his district at stated times and places, and to do this with reasonable frequency.

I have long deplored year-round sessions of Congress. Many people in this country feel that government is remote and we only compound this by remaining in Washington as long as we do. This is particularly so in view of the fact that many of our working days here as far as legislation on the floor or committee hearings are concerned are very brief.

Mr. Speaker, to give my colleagues some idea of the plans I was able to make, having had advance knowledge of the recess, and in support of my reasons for voting for it, I offer the following:

Beginning on the evening of Thursday, November 15, I will be in Nashua, N.H., for the dedication of the new arts and sciences building. On Friday, I will attend a meeting of the White Mountain Region Association in northern New Hampshire at Loon Mountain to attend a symposium on wilderness legislation. On Saturday, I plan to be in Lebanon, N.H., to discuss a proposed sewer line extension to an industrial park financed under the Economic Development Act. On Sunday, I will attend the dedication of a new home for senior citizens in Claremont, N.H.

On Monday, I have scheduled radio appearances and will hold office hours in the city of Keene, N.H. On Tuesday, I have announced office hours and several appearances in the Berlin-Gorham area of my district. On Wednesday, I will speak to classes and hold office hours in Salem, N.H. On Friday, I will be in Concord, N.H., at my district office and to attend a Presidential wreath-laying ceremony at the grave of the 13th President of the United States, Franklin Pierce.

In addition, Mr. Speaker, I have made arrangements to meet with several constituents who have problems they wish to discuss with me. Mr. Speaker, I mention this series of scheduled appearances simply to underscore the point I previously tried to make—for Members of Congress to properly serve their constituents, it is essential that we have definite and advance scheduling. If we are going to meet in year-round sessions, a practice I deplore, the least we can do is arrange for Members to have periodic recesses with sufficient notice so they can schedule appearances in their districts and better represent their constituents.

THE PEANUT AND RICE ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. BAKER) is recognized for 10 minutes.

Mr. BAKER. Mr. Speaker, on November 6, 1973, I introduced H.R. 11259, the Peanut and Rice Act of 1973. This bill would establish new programs effective for the next 4 years, beginning with the 1974 crop. This legislation would put peanut and rice production under the target price concept and mechanism recently enacted for wheat, feedgrains, and cot-

ton. A free market situation would be established where growers can plant for the market, and their rewards would come from the marketplace.

There are abundant uses for peanuts, and under an orderly market situation, prices should remain at an attractive level. The demands for rice on the world market are substantial and our production of rice here in our country would go far toward supplying food for the emerging underdeveloped nations of the world.

In moving away from the rigid quota and acreage allotment systems of the past, the new Peanut and Rice Act would free some 3.5 million additional acres of land for its best possible use. The old programs are out of date. They require the planting of certain acreages regardless of needs—and these needs have certainly changed in the past 35 years. Under this new bill individual farm planting and management decisions would be placed in the hands of farmers.

Mr. Speaker, let me cite for my colleagues some of the practical reasons for the need of new legislation. Presently a national minimum peanut allotment must be proclaimed of not less than 1,610,000 acres. This is the acreage planted in 1941. Today with increased yields per acre the same amount of peanuts can be produced on less than one-half of that acreage. Also, peanuts are now mandatorily supported between 75 and 90 percent of parity. Consequently, the higher yields have produced an oversupply, so the support level has been at the mandatory floor for the last several years. The price support is provided through the Commodity Credit Corporation loans to producers. Government losses under the present program occur when CCC then sells its stock at distress prices. Annual losses have been as high as $125 million.

Many of the same program principles apply for rice as well as peanuts. Again there is a minimum allotment under this present law—1,652,596 acres for rice. The cost to the taxpayer shows up in two categories: losses under the CCC for domestic feeding programs and funding for the Public Law 480 program.

The Peanut and Rice Act of 1973 (H.R. 11259) that I have introduced establishes target price for peanuts at $200 per ton. Target price for rice is $4.75 per hundredweight. Adjustment machinery is included in the bill so the target price can be adjusted to reflect the index of increased costs of production for the 1976 and 1977 crops.

Under this bill a national acreage allotment for peanuts would be based on estimated domestic consumption and net exports, with authority to adjust for certain factors. This national acreage allotment—which would serve as a basis for distributing deficiency payments—if any—to past producers—producers of history—would not be less than 1,800,000 acres.

Also, marketing quotas would be suspended. New producers could enter into peanut production, and previous producers could get or expand production if they so desire. The price support level would be established at 90 percent of the estimated world price, with authority to adjust to maintain competitiveness and avoid an excessive buildup of stocks.

For rice a similar allotment would be based on estimated domestic consumption and net exports, with authority to adjust for certain factors. This national acreage allotment, which would serve as a basis for distributing deficiency payments to producers of history, would not be less than 1,836,000 acres.

Here marketing quotas also would be suspended; old producers could expand or terminate rice production and new producers could enter into rice production. An identical price support loan level as that for peanuts would be established for rice.

Mr. Speaker, the Department of Agriculture is forced to administer these two programs with out-dated laws that were put in the statutes as far back as 1938. These programs are completely incompatible with the present demand for food. Second, the housewife is forced to pay twice for the supplies of peanuts or rice that may be on the shelf. First, she pays taxes that go to support prices to the middleman and the farmer, and lastly, she pays for it in higher priced rice or peanut products which could be more plentiful under the provisions of my bill. It is time, Mr. Speaker, that we as the taxpayers' representatives put a stop to this "double payment" and let the farmer grow what he wants and what the public needs.

THE CASE OF BLUMA AND LEON TAVIEV

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. STEELMAN) is recognized for 5 minutes.

Mr. STEELMAN. Mr. Speaker, although I submitted this statement yesterday as part of the Mills-Vanik-Jackson vigil it did not appear in the RECORD. Therefore I resubmit it today to insure that the continuum is complete and the resolve of the Congress is reiterated.

Mr. Speaker, this Nation was founded by men who sought freedom, and as a Nation, we shall always identify with freedom seeking people everywhere. After decades of discrimination, and suppression of cultural and religious expression, the Jews of the Soviet Union are seeking the freedom to emigrate. But emigration from the Soviet Union is not free.

It has come to my attention that 70-year-old Leon Taviev of Riga, Latvian SSR, has not seen his sister Rakhil Taviev of Ramat Aviv, Israel, in almost 40 years. They are sick and elderly now, and Rakhil has no family except the Tavievs of Riga.

When Premier Kosygin declared that the reunification of families policy would also apply to Jews who sought to emigrate, Rakhil Taviev sent affidavits to the four members of the Taviev family in Riga. They all looked forward to a speedy reunion.

But, in April 1972, their applications to emigrate were denied. Bluma, Leon Taviev's wife, traveled from Riga to Moscow to find out why they were refused. She was told that she had worked in a censorship office during the years 1945–47. Bluma could not accept this absurd reason, and demanded that the family be given emigration permits. This action resulted in arrest and a 15-day jail sentence. She also was threatened with a 3-year prison sentence if she again demanded emigration permits.

As a result, 59-year-old Bluma Taviev suffered a heart attack. The ailing couple have been completely intimidated by these threats, and dare not apply again.

The case of the Taviev family illustrates the callous, brutal attitude of OVIR—the passport office—and is but one of a host of instances where the Soviet Union has failed to abide by its stated policy.

Mr. Speaker, Congress must pass the Mills-Vanik amendment; this will make it possible for those who want to leave the Soviet Union to exercise a universal human right—the right to emigrate.

CPA AT IRS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FUQUA) is recognized for 5 minutes.

Mr. FUQUA. Mr. Speaker, we shall soon consider on the floor of this House, proposals for creation of a Consumer Protection Agency which will advocate the interests of consumers in Federal decisionmaking. In the last Congress when similar bills were considered there was much confusion concerning the powers and effects of the proposed CPA. I wish to continue my efforts to avoid a recurrence of that confusion.

As you know, I have asked those Federal agencies which would be subject to the CPA's advocacy rights to list, and to delineate by the several categories set forth in the bills, their 1972 proceedings and activities which would be subject to CPA action.

A Government operations subcommittee on which I serve, is now considering three CPA proposals. The bills are H.R. 14 introduced by Congressman ROSENTHAL, H.R. 21 introduced by Congressmen HOLIFIELD, HORTON, and others, and H.R. 564 introduced by Congressman BROWN of Ohio and myself.

The major difference among the bills is that H.R. 14 and H.R. 21 would both authorize the CPA to appeal the final decisions of other agencies to the courts, while the Fuqua-Brown bill would not grant to this nonregulatory agency so extraordinary a power.

Today I wish to call to your attention the proceedings and activities of the Internal Revenue Service which would be subject to the CPA's power under the proposed bills.

The Commissioner of IRS, in his reply, has stated that the Service held no formal rulemaking proceedings during calendar year 1972. However, he has provided a list of IRS proposals subject to the notice and comment provisions of the Administrative Procedure Act, 5 USC 553. The CPA under each of the three bills could participate in such proceedings by oral or written presentation. Under the Fuqua-Brown bill the CPA could in addition have the last word by

filing written comments on the information and arguments submitted by other participants.

The Commissioner suggests that it may be inappropriate for a CPA to intervene in confidential taxpayer matters. He also questions whether the IRS should be encompassed in CPA legislation. The IRS is not exempted from any of these bills.

Under each bill it is the determination of the CPA, not the forum agency, that the interests of consumers may be substantially affected that authorizes CPA participation in agency activities. Under H.R. 14 and H.R. 21, but not under H.R. 564 which authorizes no judicial appeal, it is a similar determination by the CPA that authorizes the CPA to appeal final agency action to the courts for review.

While the CPA would likely not find a sufficient consumer interest in all proceedings or activities of the IRS, the technical legal power to participate and to appeal to the court final agency action, or the refusal to take action, would be granted by two of the CPA proposals. Only the Fuqua-Brown bill would limit that CPA power.

Mr. Speaker, for these important reasons, I insert in the RECORD the reply of the Commissioner of the Internal Revenue Service listing some of the proceedings of the IRS which would be subject to the CPA advocacy powers as proposed in the various bills now in subcommittee.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, D.C., September 26, 1973.

Hon. DON FUQUA,
House of Representatives,
Washington, D.C.

DEAR MR. FUQUA: This is in further response to your letter of September 7, 1973, requesting information concerning operations of the Internal Revenue Service, for use in connection with hearings on three bills (H.R. 14, 21, and 564) to create an independent Consumer Protection Agency.

Your questions, and our responses, follow:

Question 1. What regulations, rules, rates, or policy interpretations subject to 5 USC 553 (the Administrative Procedure Act (APA) notice and comment rulemaking provisions) were proposed by your agency during calendar year 1972?

Answer: See Attachment A for list of regulations proposed during 1972.

Question 2. What regulations, rules, rates, or policy interpretations subject to 5 USC 556 and 557 (that is, APA rulemaking on the record) were proposed or initiated by your agency during calendar year 1972?

Answer: None.

Question 3. Excluding proceedings in which your agency sought primarily to impose directly (without court action) a fine, penalty, or forfeiture, what administrative adjudications (including licensing proceedings) subject to 5 USC 556 and 557 were proposed or initiated by your agency during calendar year 1972?

Answer: None.

Question 4. What adjudications under any provision of 5 USC Chapter 5 seeking primarily to impose directly (without court action) a fine, penalty, or forfeiture were proposed or initiated by your agency during calendar year 1972?

Answer: None. Actions to impose a fine, penalty, or forfeiture, taken by the Internal Revenue Service in connection with tax liabilities, are pursuant to Title 26 of the U.S. Code.

Question 5. Excluding proceedings subject to 5 USC 554, 556 and 557, what proceedings on the record after an opportunity for hearings did your agency propose or initiate during calendar year 1972?

Answer: None.

Question 6. Will you please furnish me with a list of representative public and nonpublic activities proposed or initiated by your agency during calendar year 1972?

Answer: See Attachment B for a list of hearings on proposed regulations which were held by the Internal Revenue Service during 1972.

Question 7. Excluding actions designed primarily to impose a fine, penalty, or forfeiture, what final actions taken by your agency in calendar year 1972 could have been appealed to the courts for review by anyone under a statutory provision or judicial interpretation?

Answer: Essentially all actions taken by the Internal Revenue Service with respect to tax liabilities, such as assessments and disallowances of claims for refunds, are appealable to the courts under the provisions of Title 26 of the U.S. Code.

As my responses to your questions illustrate, I think there may be some question as to whether the actions of the Internal Revenue Service in administering the Federal tax laws are intended to be encompassed by the proposed bills to create a Consumer Protection Agency. As you know, Congress by statute—and the Internal Revenue Service by administrative policy—have exercised great care in assuring taxpayer rights to contest determinations of their tax liability. Furthermore, the importance of protecting the confidentiality of taxpayer dealings with the Internal Revenue Service may suggest that it would be inappropriate for a Consumer Protection Agency to intervene in such matters. Of course, any party may offer comments or criticisms of regulations proposed by the Internal Revenue Service which interpret the tax statutes.

I should note that the above answers do not include activities of the Bureau of Alcohol, Tobacco and Firearms, which was a part of the Internal Revenue Service for the first 6 months of 1972, but which is now a separate agency in the Treasury Department. Nor have we attempted to fit our economic stabilization activities into the context of your questions, since those activities pertain to enforcement of policies and determinations made by the Cost of Living Council.

I trust that this information will be of assistance to you in your hearings on these bills.

With kind regards,
Sincerely,

DONALD C. ALEXANDER.

ON INTRODUCTION OF THE NEW ENGLAND REGIONAL POWER AND ENVIRONMENTAL PROTECTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 10 minutes.

Mr. HARRINGTON. Mr. Speaker, today, I am reintroducing a bill first introduced in the 92d Congress to create a New England Regional Power and Environmental Protection Agency. The purpose of the agency is to assure adequate and reliable low-cost electric power to the people of New England, while at the same time protecting and enhancing the environment, and providing a vehicle for research and development programs.

I first introduced this bill in August of 1972. At that time, no one realized just how serious the energy crisis was. However, the need for legislation to assure adequate energy supplies at prices which consumers can afford has been clearly demonstrated by recent events.

As our oil and gas supplies begin to run out, the Nation will have to rely more on electricity, which can be generated through a wide variety of means—many not requiring the use of fossil fuels. It is estimated that by 1985, the percentage of the Nation's energy demand filled by electricity will rise from 25 to 36 percent. The actual amount of electrical generation will double in the next 12 years.

In my opinion, the present utility structure in New England cannot provide the citizens of the region with the clean, reliable, and reasonably priced electricity we will need in the years ahead.

New England is one of the few regions of the country without a significant Federal power system. The TVA, Bonneville, Southwestern, Southeastern, and Alaskan Power Authorities, and the Bureau of Reclamation provide consumers across the Nation with reliable and low-cost power. The average customer of the Bonneville system, for example, pays approximately $70 a year less for electricity than the average Massachusetts customer.

These savings are possible because of the large economies of scales of the public agencies together with their access to low-cost financing. Since the price of electricity affects the price of everything we buy, these savings are especially significant.

A study of the cost of electricity in New England published in 1972 estimated that a public agency, such as the one I have proposed, would save consumers an estimated $70 million a year. We are now becoming accustomed to yearly, or even twice yearly rate increases by the region's private utilities. At the present time, $216 million in rate requests are pending before the Massachusetts Department of Public Utilities alone. When one considers that we will be using twice as much electricity in 1985 than we are presently using, it becomes clear that we cannot continue to tolerate these ever-increasing electric bills.

In addition to saving consumers millions of dollars each year in electric bills, a public agency in New England will better protect the region's environment. As more and more powerplants are needed, environmental considerations will become increasingly important. Under the present system, the environment and safety factors take second priority to the profit motive. Under the legislation I am introducing today, environmental protection is the first priority of the agency.

Any facilities constructed by the agency would have to meet both Federal and State environmental standards. The agency would have to draw up a master plan for the building of facilities after holding public hearings. In addition, the plan would have to conform with the land use plans of the States.

The agency would also have to conduct a program of research and development, with particular emphasis on the environment and problems unique to the New England region.

In addition, the agency would be required to return 10 percent of its gross revenues to States and municipalities. Five percent of gross revenues would be made available to the States according to the percentage of generating capacity located in each State. Five percent of revenues would be allocated to local governments according to the same formula.

Because the agency will be financed by revenue bonds, the agency, in the long run, will not cost the Federal Government any money. However, it will save consumers in the New England region millions of dollars each year, and will provide increased protection for the region's environment.

In dealing with the energy crisis, the Congress will have to be creative. A solution which simply calls for consumers paying higher and higher bills to oil companies and electric utilities is not a creative solution.

For years, Americans across the Nation have reaped the benefits of public power. As our energy difficulties become more severe, New Englanders should be allowed to share in the advantages such a system provides.

Mr. Speaker, I ask unanimous consent to include below an outline of the bill.

SUMMARY OF THE NEW ENGLAND REGIONAL POWER AND ENVIRONMENTAL PROTECTION AGENCY

TITLE I

Sec. 101—Definitions.

Sec. 102—Authorizations for the Agency and outline of its powers and responsibilities.

Sec. 103—Requirement for regional siting studies and planning.

Sec. 104—Requirement for research and development.

TITLE II—GENERAL PROVISIONS

Sec. 201—Appointment of the Board of Directors.

Sec. 202—Appointment of Officers and Employees.

Sec. 203—Corporate Powers Generally.

Sec. 204—Accounts and Contracts.

Sec. 205—Authorization for bond financing for power programs.

Sec. 206—Condemnation Proceedings.

Sec. 207—Payments in Lieu of Taxes.

TITLE III—ENVIRONMENTAL PROTECTION

Sec. 301—The Agency shall be subject to Federal and State environmental standards.

Sec. 302—The Agency is not exempt from the provisions of the National Environmental Policy Act of 1969.

Sec. 303—The Agency is required to obtain all necessary licenses for construction of facilities.

TITLE IV—AUTHORIZATION OF APPROPRIATIONS

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A REAL FUEL SHORTAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of South Carolina. Mr. Speaker, I wish to direct my comments toward the current shortage of petroleum products in the United States. A shortage that bodes to get worse before it gets better. Unfortunately, some people in the country are treating the crisis as a sham and a hoax. They either fail to see, or refuse to believe an acute shortage, affecting all Americans, could be just over the horizon. Thank God there are thoughtful, farsighted men in positions of authority at the television stations in the First District of South Carolina—men who can write and deliver the following message to the viewers of the low country. This message was delivered on the 4th of November, 4 days before the message by President Nixon. Carter Hardwick, general manager for WCBD–TV read the editorial on the air. It was written by news director Andreas Wagener Evans, who is better known in the low country as "Red" Evans. I commend the editorial to the attention of my colleagues.

This past week Governor West called on all South Carolinians to reduce their energy consumption to help in the effort to conserve one of the Nation's most important resources. In spite of the vast amount of publicity that the energy crisis has received, many people have not really begun to accept the fact that there is truly a shortage. The Trident Chamber of Commerce recently took steps to further make people aware of the seriousness of the situation. The chamber's "energy task force" (of which I am a member) held a seminar in hopes of explaining what steps can be taken to reduce the energy consumption in Charleston. A disappointing few people showed up.

Earlier this week "eyewitness news" interviewed people on the street—again the results were disappointing. On the other hand, a service station operator and president of the State Association of Service Station Operators, said he "was scared". He expressed concern at having to let some people go and cut back on his "open hours".

But it was the governor that put the problem in perspective—he said turning down thermostats, dimming lights, and reducing speeds can mean the difference between comfort and crisis this winter. Here at channel 2 we are trying to do our part. We have reduced our energy consumption to the lowest possible level, and the many types of equipment that use energy are turned off when not in use.

Many people take the attitude that the major oil companies or other industries or utilities are in some way responsible for the shortage. We choose to believe at this time that such is not the case. But for right now the question is how to conserve energy until the crisis is over. After that the causes and where the responsibility lies can be dealt with. We urge you as a responsible citizen of this community to reduce your speed on the highways, turn off your lights at home when a room is not in use, reduce your travel to only really important purposes, and operate your thermostat at home and at work at a few degrees lower than you normally do. If everyone does his part to conserve energy, this winter will be as comfortable as every other. If not, there may be some long cold nights and some cars on the highway out of gas.

I realize like you that it's hard to imagine that this great United States with all of it's resources can be faced with a shortage of any kind. But it's here . . . and we have to accept it . . . and more importantly believe it. Maybe the crisis will prove to us once and for all that we can no longer use up our resources "willy-nilly" without regard to the future. But for now, let's handle the energy crisis with the usual American spirit—face it squarely and beat it! We'll come out of it a wiser, stronger and less wasteful Nation.

THE VICE-PRESIDENT-DESIGNATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 5 minutes.

Mr. FRASER. Mr. Speaker, the nomination by President Nixon of our colleague, Mr. FORD, to become Vice President is now before Congress. That the nomination falls to one of our own brings a warm feeling, especially because GERRY FORD is a colleague respected for his integrity, energy, and affability.

The task which falls on us to vote on his nomination cannot be discharged, however, solely on the basis of our personal relationship with the nominee.

Our task is to share with the President responsibility for choosing the person who stands next in line for the presidency. The discharge of that responsibility requires that we look beyond personal qualities to the political philosophy of the nominee as disclosed by the record.

The views of a nominee on civil rights, on issues of war and peace, on the manner in which government should legislate for the common welfare, and on basic constitutional issues involving civil liberties, the independence of the judiciary, and the responsibilities—as well as the authority—which attach to the office of President are not mere partisan concerns. These matters are fundamental to the well-being of the United States.

Joseph Rauh, national vice chairman of Americans for Democratic Action, has prepared testimony setting forth the views of Americans for Democratic Action on Mr. FORD's nomination. The issues raised by Mr. Rauh must be faced by us.

I therefore submit to the House Mr. Rauh's testimony in order to help us focus on the relevant considerations affecting the nomination before us:

TESTIMONY OF JOSEPH L. RAUH, JR.

I am Joseph L. Rauh, Jr., a vice-chairman of Americans for Democratic Action, and I appear here today on behalf of ADA. We appreciate the opportunity to express the views of ADA on the nomination of Gerald R. Ford as Vice President of the United States. I am accompanied by Mrs. Lynn Pearle, legislative representative of ADA.

Americans for Democratic Action opposes the confirmation of Mr. Ford as Vice President of the United States. ADA's position was adopted by a unanimous vote of its National Board at a special meeting on October 14, 1973. My purpose here today is to furnish this Committee with the detailed reasons underlying ADA's decision.

Mr. Chairman, the central question before this Committee and the Congress can be simply stated: Putting aside all partisan considerations, is Mr. Ford qualified to be President of the United States? Or the question can be stated another way: Putting aside all partisan considerations, is Mr. Ford among the group of persons that a majority of the members of both Houses of Congress want to see as President of the United States? For the reasons set forth below, ADA believes the answer must be "No."

I

The first step in weighing the qualifications of Mr. Ford for the Presidency must be to determine the standard by which the nominee is to be judged. At the outset of its inquiry, Congress must clarify its responsibilities under the 25th Amendment to the Con-

stitution. The 25th Amendment merely states that a new Vice President will take office "upon confirmation by a majority vote of both Houses of Congress." Since the amendment does not provide the standard to be used by Congress in determining whether to confirm a nominee, Congress must define the standard for itself. We repeat: The appropriate standard is whether Mr. Ford is qualified to be President of the United States and whether he is among the group of persons that a majority of the members of both Houses of Congress want to see as President of the United States.

The 25th Amendment gives the President the right to nominate a new Vice President, but it gives Congress a duty in connection with confirmation far different from its obligation in any other confirmation proceeding. The subject of confirmation (a potential President) and the confirmers (the full Congress rather than the Senate) are both unique in our history. And the President and Congress are acting together here not to nominate and confirm an executive or judicial appointee, but rather to choose, *in lieu of the electorate*, a man who must have the qualifications for President of the United States. This would be true in any event since the only significant attribute of the Vice Presidency is the possibility of succession to the Presidency. But it becomes doubly true in the present circumstance where the calls for impeachment of, or resignation by, the present incumbent grow daily.

Under the 25th Amendment, Congress is an equal partner with the President in the approval of a Vice President. The 93d Congress (all of the House and one-third of the Senate) was elected along with the President in November 1972. The President's act of submitting Gerald Ford's name as Vice President-designate thus raises no presumption that Congress should confirm him. In determining who shall be next in line for President, Congress has a stake equal to the President's.

All this is quite clear from the legislative history of the 25th Amendment. When Congress addressed itself to the problem of filling a vacancy in the Vice Presidency, two concerns were dominant. On the one hand was the concern that the President be able to name a Vice President who is of his own party and compatible with the President. On the other hand was the concern that the members of Congress, as the elected representatives of the people, were in the best position to select a new Vice President. Indeed, Senator Ervin introducd a resolution (S.J. Res. 147, 88th Cong., 2d Session) that would have placed full responsibility on the Congress to both nominate and elect the Vice President.

At a hearing before the Senate Subcommittee on Constitutional Amendments on January 22, 1964, Senator Bayh, who largely authored the 25th Amendment, asked Senator Ervin if he would have any objection to letting the President nominate a person whom the Congress would then reject or elect. Senator Ervin voiced his general agreement to this approach in *Hearings on Presidential Inability, and Vacancies in the Office of the Vice Presidency*, p. 21. Out of that meeting of the minds arose the solution that is reflected in the final form of Section 2.

When the resolution that was to become the 25th Amendment was on the floor of the Senate, Senators Bayh and Ervin engaged in a colloquy which casts further light on the responsibilities of Congress under the Amendment. Mr. Chairman, I ask permission that the excerpt from the Congressional Record of February 19, 1965 be included in the record at this point.

I draw your attention to Senator Bayh's statement that:

. . . by combining both presidential and congressional action we were doing two things. We were guaranteeing that the President would have a man with whom he could work. *We were also guaranteeing to the people the right to make that decision.*

It is clear from this colloquy that Section 2 of the 25th Amendment contemplates a greater degree of Congressional scrutiny than is exercised in the advice and consent confirmation of Presidential appointments to the executive and judicial branches. Indeed, Senator Bayh specifically said that the advice and consent provisions of the Constitution, although somewhat analogous to the procedure of Section 2, are not exactly on point with the Amendment. In choosing a new Vice President, Congress acts as the surrogate of the electorate. The Congress is charged not merely with approving the President's selection, but rather with an active role in making the selection and in ensuring that the nominee is of the highest calibre. As Congressman Peter Rodino said on the floor of the House during debate on the 25th Amendment, "The requirement of congressional confirmation is an added safeguard that only fully qualified persons of the highest character and national stature would ever be nominated by the President."

The situation before Congress in confirming a Vice Presidential-designate is far different from one involving the confirmation of a cabinet or sub-cabinet officer. There Congress is asked to confirm someone who will be a subordinate of the President responsible for translating *his* policies into action. A cabinet or sub-cabinet officer is a member of *his* team. The President has a right to choose these subordinates, and in the confirmation process there is clearly a presumption in favor of the President's choice. The role of Congress is largely, if not wholly, to examine such a candidate for moral and ethical suitability for office.

A Supreme Court or other federal judge is much more independent of the President who selects him, and while he or she may be chosen for an anticipated compatibility with the President's political or judicial philosophy, a judge is clearly not a member of the President's team. The role of Congress in confirming a Supreme Court or other federal judge is thus not only to reject those who fail to meet moral or ethical standards, but also to examine the philosophy of such a nominee to anticipate how he will perform in his independent role. Clement F. Haynsworth, Jr. and George Harrold Carswell were rejected by the Senate in large part because of their anti-civil rights philosophies as expressed in their judicial decisions. As we shall show, Mr. Ford's record as expressed in his legislative decisions is no less anti-civil rights; indeed he compares unfavorably to Haynsworth and Carswell when one considers his northern surroundings and the southern background of the two nominees which the Senate so recently rejected.

Congress is not here confirming a spear carrier for the President. What Mr. Ford does as Vice President is not important; what he will do as President may determine the future of the nation. A Vice President's only significant role is that of a potential replacement for the President. Congress may legitimately ask that the first man in our history who may become President without any action by the people meet not only a moral and ethical standard, but that he be a man of Presidential stature and competence, experienced in both foreign and domestic affairs, and that his personal philosophy and ideology be compatible with the Presidential role. A nominee for Vice President should be measured by such a standard most particularly now when he has been nominated by a President whose own tenure is in jeopardy.

Congress, as surrogate for the voters, is obligated to use the tests the voters use—stature, competence, experience and philosophy. Congress must exercise its independent judgment unaffected by any presumption in favor of a presidential nomination. As the legislative history makes clear, Congress must weigh every factor except partisan considerations. To determine whether a nominee is of Presidential stature is an awesome task, but as the constitutionally-designated surrogate for the people, the 93rd Congress can do no less.

II

Congressman Ford's record on civil rights is sufficient *in and of itself* to disqualify him for the Presidency. At a time when the nation needs a healer, the nominee is a divisive influence who has fought civil rights legislation at every turn. Considering only recent history, the years since 1965, in which Mr. Ford has been in a position of responsibility in the Congress as Minority Leader, he has voted over and over again to gut or weaken legislation which was in the interest of minorities.

On July 9, 1965, Mr. Ford voted to recommit the Voting Rights Act of 1965 to the Judiciary Committee with instructions to report back a substitute crippling the provisions for federal registrars and omitting the protection against intimidation and coercion.

On July 25, 1965, Mr. Ford voted against bringing to the floor the proposed civil rights bill.

On August 9, 1966, Mr. Ford voted to recommit the proposed civil rights bill in order to delete its fair housing provisions.

On October 6, 1966, Mr. Ford voted to nullify Title VI of the 1964 Civil Rights Act as applied to aid to elementary and secondary education.

On April 10, 1968, Mr. Ford voted against accepting the Senate amendments to the House-passed civil rights bill and in favor of sending the bill to conference where the housing provisions would have been emasculated or killed.

On December 11, 1969, Mr. Ford led the fight and voted to gut the extension of the Voting Rights Act of 1965 by substituting for the simple five-year extension proposed by the House Judiciary Committee a bill which deleted the basic provision in the 1965 law preventing states and localities from nullifying minority votes.

On September 16, 1971, Mr. Ford voted to delete the major provisions of the bill to strengthen Title VII (the Equal Employment Opportunity Title) of the Civil Rights Act of 1964, including provisions which would have given the EEOC the cease and desist powers generally available to federal regulatory agencies.

On October 10, 1973, Mr. Ford voted to deny the citizens of the District of Columbia, largely black, the right to vote for their own mayor.

Even today Mr. Ford supports a constitutional amendment which, justified as anti-busing, in fact turns back the clock a whole decade on school desegregation.

Thus, Mr. Ford's record during his period as Minority Leader is one of seeking to cripple every major civil rights legislative advance and then voting for the final product when passage became certain. The real struggle over civil rights legislation is never in final passage, but in resisting earlier attempts to gut the bills. In those difficult struggles, Mr. Ford has always been a powerful force against the side of civil rights. If this Congress were to confirm a Northern congressman with such a civil rights record for a post leading to the Presidency, it would owe an apology to both Judge Haynsworth and Judge Carswell and to the millions of your fellow citizens, black and white, who yearn for a leadership which embraces the goals of justice and equal opportunity.

The present Administration has refused to enforce the civil rights laws of the nation. The reports of the U.S. Commission on Civil Rights, the hearings of the Edwards Subcommittee of the House Judiciary Committee and the decisions of the courts are replete with examples of such non-enforce-

ment of the civil rights laws. The record of Congressman Ford in this area gives promise of exacerbation, not amelioration, of this divisive and polarizing situation.

III

You are asked to confirm a potential President for *all* the people in a time of economc turmoil. Congressman Ford's voting record reveals that in his 25 years on the national scene he has developed little sense of the world beyond his district. His record shows that he consistently has opposed programs to help working and disadvantaged people, and includes votes against food stamps, legal services and child care, minimum wages, education, Medicare, OEO, public housing, public works programs, and rent subsidies. He was one of the leaders in killing a $2 million rat extermination program. Mr. Chairman, we have prepared a more complete voting record and ask that at this point it be inserted in the transcript.

Congressman Ford has remained wholly insensitive to the diverse problems facing this country. A failure to develop understanding of the needs of the disadvantaged speaks not only in terms of intellect but of compassion—and compassion is especially essential to leadership when, as now, a sense of bitterness pervades the government, citizens are apathetic and skeptical of government, and both public and private sectors are retreating to a cynical philosophy of self-interest.

Today our social goals too often are defined in terms of opposing forces, pitting class against class and geographic region against geographic region; middle America's needs too often are defined in terms of opposition to programs for the poor and the disadvantaged. What we need now is a leader who can rise above parochial interests and give a sense of unity to the entire country. Compassion for those who have the least, rather than favors for those who have the most, is the first ingredient of such leadership.

IV

If one single act can disqualify a man for the Presidency of the United States, Mr. Ford's April 15, 1970 attack on the independence of the federal judiciary was just such an act. Here Mr. Ford demonstrated his faithlessness to the underlying constitutional concept of separation of powers just as he had so long demonstrated his insensitivity to the constitutional concept of human equality.

On April 8, 1970, the Senate rejected G. Harrold Carswell for the Supreme Court of the United States by a vote of 51–45. One week later Mr. Ford took the floor of the House to seek impeachment of Supreme Court Justice William O. Douglas. I was particularly struck by the enormity of this action by Mr. Ford at a testimonial dinner for Justice Douglas earlier this month. The only living Chief Justices, Warren Burger, appointed by one Republican President, and Earl Warren, appointed by another Republican President, paid tribute to this great man in the highest terms. Chief Justice Burger referred to the "great and unique career" which Justice Douglas had made on the highest bench. And Chief Justice Warren said there had been "no greater Justice in the history of the Court." Only extreme partisanship and reckless disregard of constitutional principles could have impelled Mr. Ford's impeachment attack on a Supreme Court Justice with the longest and most consistent civil-rights-civil-liberties record in history.

But even worse than Mr. Ford's partisan impeachment attempt are the legal and factual "justifications" he gave for his action.

Although the Constitution permits impeachment only for "treason, bribery or other high crimes and misdemeanors," Mr. Ford told the Congress that "an impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history." Not only is this a distortion of the plain language of the Constitution, but it is reckless and irresponsible doctrine. Under Mr. Ford's theory, the independence of the judiciary would be a thing of the past. Any defender of civil liberties at a time of stress could be removed from the bench by the passions of the day; the Bill of Rights would go down for want of independent judicial defenders.

Mr. Ford's factual basis for impeachment raises more questions about Mr. Ford than it does about Justice Douglas. The attacks on Justice Douglas' extra-judicial writings distort the Justice's thoughtful arguments and serve to highlight Mr. Ford's lack of devotion to the First Amendment. The effort to tie Justice Douglas to gamblers through the Parvin Foundation was guilt by association thrice removed. The effort to tie Justice Douglas to Bobby Baker was a fraud. The effort to smear him through his connection with the Center for the Study of Democratic Institutions, headed by Dr. Robert Hutchins, becomes ludicrous for those 3,000 people who attended the sessions of that organization here in Washington last month, sessions addressed not only by the Secretary of State but by most of the leading members of the United States Senate.

We ask permission at this point to insert in the transcript a comparison of the allegations in Mr. Ford's April 15th impeachment speech, the response to those allegations as set forth in the fact brief submitted to the committee investigating impeachment by Justice Douglas' distinguished attorney, Simon Rifkind, and the findings by that committee. These documents are found in the First and Final Reports by the Special Subcommittee on H. Res. 920 pursuant to H. Res. 93. The gross discrepancies between Mr. Ford's allegations and the committee's findings underline the recklessness of Mr. Ford's act on April 15th.

Unfortunately, Mr. Ford was not questioned about any of these mis-statements. We hope this matter is examined fully by this Committee before it acts on the nomination. How did Mr. Ford come to make such slanderous insinuations? Who assisted in the preparation of the speech? Was it part of a John Mitchell effort to drive a liberal Justice from the bench?

V

Congressman Ford is totally lacking in experience in foreign affairs. What is known of his views is his consistent support of U.S. involvement in the Indochina war. Even at the very end of U.S. involvement, when most of the country and most of the Congress had turned against the war, Congressman Ford continued to give it his unqualified support.

At a time when a foreign policy mistake might mean war and could mean nuclear holocaust, Mr. Ford's lack of experience in this area is an extremely serious disqualification.

VI

A priority task of the next President will be to restore the trust and confidence of the American people in their government and its leadership. This can be done only by following the Watergate and Watergate-related scandals wherever they may lead. Mr. Ford's public statements prior to his nomination have made it clear that this is something he cannot do.

Even after the Dean disclosures and the Haldeman and Erlichman resignations, Mr. Ford stated publicly, "I have the greatest confidence in the President and *am positively positive he had nothing to do with this mess.*" And when the President fired Special Prosecutor Archibald Cox—even though the Nixon Administration had promised Congress that Mr Cox would be independent—Mr. Ford announced that Mr. Nixon had "no other choice" but to dismiss Cox. Indeed, as late as November 5th, Mr. Ford stated before this committee that he considers the President "completely innocent" of any wrongdoing in the Watergate affair.

The next President must restore respect for the rule of law in America and this can be accomplished only by following every avenue wherever it may lead. This cannot be done by one who had prejudged the case in favor of Mr. Nixon.

VII

Americans for Democratic Action is independent of both political parties and fully supports President Nixon's right under the 25th Amendment to nominate a Republican Vice President who must be considered on his or her merits by a Congress free of partisan bias. But we do not insult the Republican Party with the belief that Mr. Ford is the only candidate the Party has to offer. He has never been considered as a candidate by his party; many others have. If the Congress rejects Mr. Ford's nomination, we are confident the Republican Party can provide a man or woman of Presidential stature who can unite the nation.

The Congress may want to consider reenacting the statute—which was in force for a century—providing for a new election in the absence of both a President and Vice President. ADA has not taken a position on such a statute. I mention the point only to suggest that there are alternatives to Mr. Ford available either through a new appointment or through a new election.

It is the availability of these alternatives that makes the unseemly haste of this Committee all the more tragic. To those who say that Congress must act at once to confirm Mr. Ford as a precondition of President Nixon's resignation or impeachment, Americans for Democratic Action gives this answer: We do not believe our nation is bounded on the East by Richard Nixon and on the West by Gerald Ford. Our sights go beyond these two to a man or woman who, as President of the United States, will bind up the nation's wounds at home and restore it to its place of honor abroad.

Nor is there any reason to believe that Mr. Ford's confirmation will hasten the day of Mr. Nixon's resignation or impeachment. On the contrary, Mr. Ford's unsuitability for the Presidency can only have the opposite effect—to solidify Mr. Nixon's position through the obvious lack of experience of his successor in foreign affairs and lack of stature at home.

VIII

Mr. Chairman, we urge that before voting on Mr. Ford's confirmation, you ask yourself these questions:

Is Mr. Ford among the men and women whom you believe should be President of the United States?

Should the next President be a divisive force between majority and minorities in this nation?

Should the next President be one who lacks compassion for those who need help and has devoted himself to the protection of those who do not?

Should the next President be one who sought to destroy the independence of the federal judiciary by a reckless attack upon a Supreme Court Justice?

Should the next President be wholly inexperienced in foreign affairs?

Can Mr. Ford, wholly inexperienced in any administrative activities, control the massive authority of the Presidency in the interest of democratic government at home and a stable world relationship?

Should the next President be one who has prejudged the Watergate scandals?

Are there not alternatives to Mr. Ford within the Party of Lincoln who can lead this Nation back to its rightful place of leadership and honor?

We put these questions to you. The matter is now on your conscience and in your hands.

VOTING RECORD OF GERALD R. FORD

CIVIL RIGHTS

Voted to weaken Fair Employment Practices bill, February 22, 1950.

Voted to cripple Voting Rights Act of 1965, July 9, 1965.

Voted against bringing 1966 Civil Rights Act to floor, July 25, 1966.

Voted to recommit 1966 Civil Rights Act to delete fair housing provision, August 9, 1966.

Voted to nullify Title VI of 1964 Civil Rights Act as applied to aid to elementary and secondary education, October 6, 1966.

Led fight to gut Voting Rights Act of 1965, December 11, 1969.

Voted against accepting Senate's open housing amendments to Civil Rights Act of 1968, April 10, 1968.

Voted to gut EEOC bill, September 16, 1971.

Voted for all anti-busing amendments including April 7, 1971; November 4, 1971; March 8, 1972; August 17, 1972. Supports "freedom-of-choice" school desegregation plans and constitutional amendment to ban school busing.

Voted to weaken D.C. Home Rule bill, October 10, 1973.

SOCIAL PROGRAMS

Voted against public housing, June 29, June 29, 1949; May 10, 1950; May 4, 1951; March 21, 1952; July 21, 1953; April 2, 1954; July 29, 1955; May 21, 1959; June 22, 1960.

Voted against increasing funds for hospital construction, May 26, 1953; June 25, 1970.

Voted against establishing national food stamp program, August 21, 1957.

Voted to weaken unemployment compensation law, August 16, 1950; May 1, 1958.

Voted against aid-to-education bill, August 30, 1960.

Voted against public works programs, May 4, 1960; August 29, 1962; April 10, 1963; April 22, 1971; July 19, 1972; March 15, 1973.

Voted to cripple food stamp legislation, April 8, 1964; June 8, 1967; December 30, 1970.

Voted against final passage of Economic Opportunity Act of 1964, August 8, 1964.

Voted against funds for elementary and secondary education, March 26, 1965; July 31, 1969.

Voted against Medicare, April 8, 1965.

Voted against creating HUD, June 16, 1965.

Voted to kill rent subsidy program, June 30, 1965; May 10, 1966.

Voted to reduce OEO funds, July 22, 1965; November 15, 1967.

Voted to delete Model Cities funds, May 17, 1967.

Voted to turn OEO over to states, December 12, 1969.

Voted against providing unemployment compensation to farm workers, July 23, 1970.

Voted against child care conference report, December 7, 1971.

Voted against increasing education appropriation, April 7, 1971, June 15, 1972.

Voted to cripple Legal Services bill, June 21, 1973.

Voted to reduce Labor-HEW appropriation, June 26, 1973.

LABOR

Voted for Wood (D-Ga.) bill containing worst features of Taft-Hartley, May 4, 1949.

Voted to weaken Minimum Wage bills, August 10, 1949; June 30, 1960; March 24, 1961; May 26, 1966; May 11, 1972; June 6, 1973.

Voted to use Taft-Hartley Injunction to end steel dispute, June 26, 1952.

Voted for Landrum-Griffin over bill limited to internal union reform, August 13, 1959.

Voted against repeal of Sec. 14(b) of Taft-Hartley Act ("right-to-work" laws), July 28, 1965.

Voted to weaken Occupational Health and Safety bill, November 24, 1970; June 15, 1972.

Voted to deny food stamps to strikers, July 19, 1973.

CIVIL LIBERTIES

Voted for Anti-Subversive bill, August 29, 1950.

Voted against requiring prior court approval for wiretaps, April 8, 1954.

Voted to upset the Supreme Court's Mallory Decision regarding admissible evidence, July 2, 1958.

Voted funds for HISC, April 29, 1971; March 1, 1972; March 22, 1973.

Voted for constitutional amendment allowing school prayers, November 8, 1971.

ENVIRONMENTAL

Voted against federal aid to states for prevention of water pollution, June 13, 1956; February 25, 1960.

Voted to kill mass transit legislation, June 25, 1964.

Voted against AEC funds to fight water pollution, October 8, 1969.

Voted for SST, March 18, 1971.

Voted against deleting funds for Cannikan nuclear test, July 29, 1971.

Voted against strengthening Pesticide Control Act, Novembr 9, 1971.

Voted against strengthening Federal Water Pollution Control Act amendments of 1972, March 28, 1972.

Voted against allowing Highway Trust funds for mass transit, October, 5 1972; April 19, 1973.

INDOCHINA, DEFENSE AND FOREIGN POLICY

Voted against all attempts to limit or end U.S. involvement in Indochina, including the Cooper-Church amendment (July 9, 1970), the Nedzi-Whalen measure (June 17, 1971), the Hamilton-Whalen measure (August 10, 1972) and the Addabbo amendment (May 10, 1973).

Voted for the Safeguard ABM program, October 3, 1969.

Voted against all attempts to lower military spending, voting against cutbacks amendments October 3, 1969; June 16, 1971; November 17, 1971; September 14, 1972; and July 31, 1973 (the Aspin ceiling amendment).

Voted to override Presidential veto of McCarran bill making immigration more difficult, June 26, 1952.

Voted to bar U.S. sale of surplus goods to Poland and Yugoslavia (Sept. 3, 1964) and to kill wheat sales to USSR and Hungary by barring credits (Dec. 16, 1963).

Voted against war powers legislation, July 18, 1973.

THE JUSTICE WILLIAM O. DOUGLAS IMPEACHMENT CASE: A COMPARISON OF REPRESENTATIVE GERALD FORD'S APRIL 15, 1970 SPEECH, JUSTICE WILLIAM DOUGLAS' FACT BRIEF, AND THE SUBCOMMITTEE'S DISPOSITION OF CHARGES

1. POINTS OF REBELLION

Ford Speech: "Its title is *Points of Rebellion* and its thesis is that violence may be justified and perhaps only revolutionary overthrow of 'the establishment' can save the country . . . Should a judge who sits at the pinnacle of the orderly system of justice give sympathetic encouragement, on the side, to impressionable young students and hard-core fanatics who espouse the militant method? I think not." (First Report, pp. 35–36.) [1]

Douglas Fact Sheet: "Rather than refer to the actual language of Justice Douglas' book, another critic has chosen generally to 'paraphrase.' His 'paraphrase' is not a fair one. Whereas the central message of the book is the warning that peaceful change is essential if we are to escape revolutionary violence, and law must be made 'responsive to human needs,' the critic manages to see the opposite. In his own words (obviously not the Justice's), the thesis is 'That violence may be justified and perhaps only revolutionary overthrow of 'the Establishment' can save the country.' And he suggests that although the book distinguishes between lawful procedure and violent revolution as ways to redress grievances, Justice Douglas has somehow given 'sympathetic encouragement' to those who 'espouse the militant method.' As the foregoing materials abundantly demonstrate, the book's message is precisely the contrary." (Final Report, pp. 393–4) [2]

Committee Finding: "The content of *Points of Rebellion* speaks for itself. Analysis by the Special Subcommittee indicates that Justice Douglas' critics have misinterpreted the meaning of the book. *Points of Rebellion* does not call for violent overthrow of established order in this country. It does not sanction rebellion. The book is not a neutral document; it has a clearly defined thesis. Far from advocating violence, the book urges a reordering of priorities through the traditional legal channels to avoid the violence which the author believes is inevitable if the established order does not accommodate to the needs of disillusioned segments of the society." (Final Report, p. 160)

2. THE EVERGREEN REVIEW

Ford Speech: "This article is authored 'by the venerable Supreme Court Justice' William O. Douglas. It consists of the most extreme excerpts from this book, given a somewhat more seditious title. And it states plainly in the margin: Copyright 1970 by William O. Douglas * * * Reprinted by permission . . . But you cannot tell me that an Associate Justice of the U.S. is compelled to give his permission to reprint his name and his title and his writings in a pornographic magazine with a portfolio of obscene photographs . . . His blunt message to the American people and their Representatives in the Congress of the U.S. is that he does not give a tinker's dam what we think of him and his behavior on the Bench." (First Report, p. 37)

Douglas Fact Brief: "It is charged that Mr. Justice Douglas published an article, consisting of a section from his book *Points of Rebellion*, in the April 1970 issue of *Evergreen Review*, where it immediately followed an artist's caricature of the President and a portfolio of allegedly obscene pictures. The fact is that Justice Douglas did not authorize the publication of the article in *Evergreen Review*, and had nothing to do with where it appeared and what materials accompanied it . . . In short, Justice Douglas played no role in Random House's decision to permit a portion of his book to appear in *Evergreen*, he had no right under his contract to take any position on the matter, and he was not consulted." (Final Report, pp. 397–8)

Committee Finding: "The Special Subcommittee concludes that Justice Douglas had no knowledge of or control over either the placement, or the manner of placing, the article 'Redress and Revolution' in *Evergreen Review*." (Final Report, p. 175)

3. THE AVANT GARDE ARTICLE

Ford Speech: "Ralph Ginzburg's magazine *Avant Garde* paid the Associate Justice of the U.S. Supreme Court the sum of $350 for his article on folk singing . . . However, Mr. Justice Douglas did not disqualify himself from taking part in the Goldwater against Ginzburg libel appeal . . . Writing signed articles for notorious publications of a convicted pornographer is bad enough. Taking

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[1] First Report by the Special Subcommittee on H. Res. 920 of the Committee on the Judiciary, House of Representatives, Ninety-first Congress, Second Session, Pursuant to H. Res. 93, June 20, 1970.

[2] Final Report by the Special Subcommittee on H. Res. 920 of the Committee on the Judiciary, House of Representatives, Ninety-first Congress, Second Session, Pursuant to H. Res. 93, September 17, 1970.

money from them is worse. Declining to disqualify one's self in this case is inexcusable." (First Report, pp. 34–5)

Douglas Fact Brief: "The Justice has never had any dealings with Ralph Ginzburg, and had no occasion to recuse himself from the January case involving Mr. Ginzburg's *Fact* magazine . . . And it is well settled that publishing a single article in a newspaper or magazine does not disqualify the author from later hearing a case involving the publisher." (Final Report, p. 386)

Committee Finding: "Under the facts of this case, Justice Douglas was not required to disqualify himself from participation in the *Goldwater* v. *Ginzburg* petition for a *writ of certiorari*. That Mr. Ginzburg was the owner of *Avant Garde*, Justice Douglas had known since February 28, 1969. But existence of knowledge of the relationship is not the test for disqualification. 28 U.S.C. 455 requires disqualification if there is a substantial interest in a case, or a relation or connection, that, in the justices' opinion made it improper for him to continue to sit. The $350 payment certainly is *de minimis* and the relationship between Justice Douglas and Ralph Ginzburg through *Avant Garde* was virtually nonexistent. Clearly it was not extensive, not intimate, not continuing and failure to disqualify was not improper." (Final Report, p. 47)

4. ALLEGED PRACTICE OF LAW

Ford Speech: ". . . the foundation was incorporated in New York, and Mr. Justice Douglas assisted in setting it up, according to Parvin. If the Justice did indeed draft the articles of incorporation, it was in patent violation of title 28, section 454, U.S. Code . . . There is additional evidence that Mr. Justice Douglas later, while still on salary, gave legal advice to the Albert Parvin Foundation on dealing with an Internal Revenue Investigation." (First Report, pp. 38–9)

Douglas Fact Brief: "Justice Douglas at no time 'practiced law' for the Foundation, which from the outset retained expert outside counsel to handle both its routine and special legal problems. He did not, as alleged, draft the Foundation's Articles of Incorporation. He did not, as alleged, give tax advice or any legal advice regarding any tax investigation. Nor did he serve as counsel to the Foundation or to anyone associated with it with respect to any legal matters." (Final Report, p. 404)

Committee Finding: "The Special Subcommittee has examined records of the Albert Parvin Foundation, the files of Albert Parvin, Justice Douglas, Robert Hutchins, Harry Ashmore, and the Internal Revenue Service for information concerning the allegation that Justice Douglas drafted the Articles of Incorporation for the Albert Parvin Foundation. The documentary materials obtained in this file examination show that Justice Douglas did not draft the Articles of Incorporation of the Albert Parvin Foundation or provide legal services as its President." (Final Report, p. 80)

"All of the documents obtained in this investigation reprinted here and in the Committee's files relative to the conduct of Justice Douglas in administering the officers of the Foundation have been examined to determine the character and the purpose of the services provided by Justice Douglas to the Albert Parvin Foundation. These materials establish that Justice Douglas was not engaged in the practice of law in connection with his association with the Albert Parvin Foundation. His communications and actions relative to the tax investigation are consistent with his administrative responsibilities as President and Director of the Albert Parvin Foundation. Justice Douglas did not practice law." (Final Report, pp. 115–6)

5. ALBERT PARVIN FOUNDATION

Ford Speech: "What would bring an associate Justice of the Supreme Court into any sort of relationship with some of the most unsavory and notorious elements of American society?" (First Report, p. 38)

"In April 1962 the Parvin Foundation applied for tax-exempt status. And thereafter some very interesting things happened. On October 22, 1962, Bobby Baker turned up in Las Vegas for a 3-day stay. His hotel bill was paid by Ed Levinson, Parvin's associate and sometime attorney. On Baker's registration card a hotel employee had noted—'is with Douglas.' Bobby was then, of course, majority secretary of the Senate and widely regarded as the right hand of the then Vice President of the United States. So it is unclear whether the note meant literally that Mr. Justice Douglas was also visiting Las Vegas at that time or whether it meant only to identify Baker as a Douglas associate." (First Report, p. 39)

"Also on hand in Santo Domingo to celebrate Bosch's taking up the reins of power were Mr. Albert Parvin, President of the Parvin, Dohrmann Company, and the President of the Albert Parvin Foundation, Mr. Justice William O. Douglas of the U.S. Supreme Court." (First Report, p. 39)

Douglas Fact Brief: "The Foundation had no connection with the 'international gambling fraternity' . . . Justice Douglas does not know the alleged underworld persons named in the attacks upon him. He was not in Las Vegas when it was insinuated he was, he has never been associated with Bobby Baker, and he did not attend the inauguration of President Bosch as alleged." (Final Report, p. 387)

Committee Finding: "There is no indication that Justice Douglas personally has been involved in, or ever participated in, organized gambling. In fact, there is no evidence that Justice Douglas ever associated with or even met the individuals that have been named by critics of Justice Douglas in the April 15, 1970 speech or in H. Res. 922, who are identified underworld characters or members of some organized gambling fraternity. All such associations are indirect and are imputed to Justice Douglas only through his activities in connection with the Albert Parvin Foundation and his association with Albert Parvin. (Final Report, p. 176)

"The April 15, 1970 speech alleged that on October 22, 1962, Robert Baker was in Las Vegas for a three day stay, that his hotel bill was paid by Edward Levinson, and that on Baker's hotel bill a hotel employee had noted 'is with Douglas.' It was also alleged that Robert Baker and Edward Levinson were in the Dominican Republic with Justice Douglas, Albert Parvin and Harvey Silbert. The investigation of the Special Subcommittee has found that neither of these charges is accurate. According to the documents in the Committee's files, Justice Douglas left New York on October 21, 1962 for Santiago, Chile, and returned on October 30, 1962 after visiting Peru, Ecuador and Bolivia. Justice Douglas' first visit to Las Vegas was in November 1964, at which time he spoke at an Israel Bond Drive Dinner at the Sahara Hotel. Justice Douglas was not in the Dominican Republic at the same time that Robert Baker and Edward Levinson were there. Robert Baker attended President Bosch's inauguration on February 27, 1963. Justice Douglas, although invited to attend, was unable to do so. Justice Douglas was in the Dominican Republic in connection with the Foundation's Literacy Program on March 5th to 7th, 1963; and a second visit was made March 14–17, 1963. (Final Report, p. 320)

"Not only was Justice Douglas not in Las Vegas at the time charged, but neither was Robert Baker. The Department of Justice has supplied information, including the hotel records apparently referred to by the April 15, 1970 speech. The Documents supplied by the Department of Justice include a copy of a registration card for the Beverly Hills Hotel in Beverly Hills, California. This registration card shows that Robert Baker occupied Room 359 from October 22–25, 1962. The records show that Mr. Levinson was billed for Room 359. The registration card does bear a notation 'with Douglas—move 176/7'. The person who is the subject of the notation is not disclosed by the documents, and apparently this aspect of the matter either has not been investigated by the Department of Justice or has not been supplied to the Subcommitteee. It is obvious however, that such person could not be Associate Justice William O. Douglas who was not in Los Angeles during this period." (Final Report, p. 320)

6. CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS

Ford Speech: ". . . Mr. Justice Douglas moved immediately into closer connection with the leftish Center for the Study of Democratic Institutions . . . the Center was the site of a very significant conference of militant student leaders. Here plans were laid for the violent campus disruptions of the past few years, and the students were exhorted by at least one member of the Center's staff to sabotage American society, block defense work by universities, immobolize computerized record systems and discredit the ROTC." (First Report, p. 42)

Douglas Fact Brief: "The Center is an eminently respectable American educational institution which has enlisted the participation, support and cooperation of such distinguished Americans as Chief Justice Warren Burger, and a score of Congressmen." (Final Report, p. 424)

Committee Finding: "The Center is the sole activity of the Fund for the Republic, a nonprofit corporation created by the Ford Foundation in 1952. The Center was established in Santa Barbara in 1959. The Chief Executive Officer of the Center is Dr. Robert M. Hutchins, formerly Dean of the Yale Law School and former President of the University of Chicago. The President of the Center is Harry Ashmore, formerly Executive Editor of the *Arkansas Gazette* and former Editor-in-Chief of the *Encyclopaedia Britannica*. Associated with the activities of the Center are such notables as the economist, Rexford G. Tugwell; the environmentalist, Paul Ehrlich; the political theorist, Bertrand de Jouvanel; the educator, Clark Kerr; the theologian, Rheinhold Neibuhr; and Nobel laureate, Isidor I. Rabi. (Final Report, p. 177)

"Since its establishment in 1959, the Center has conducted conferences, seminars and symposia on a variety of issues. It publishes a magazine to encourage the study of international relations and public questions. One of the primary activities of the Center is daily dialogue sessions aimed at obtaining a diversity of viewpoint on a multitude of topics. During these sessions the entire spectrum of American thought and argument are invited to participate." (Final Report, p. 178)

THANKSGIVING RECESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. DULSKI) is recognized for 5 minutes.

Mr. DULSKI. Mr. Speaker, it occurs to me that our distinguished colleagues from the other side of the aisle are playing a frivolous game of "follow the leader."

While the President is inaccurately trying to place the blame for his administration's inaction on the energy crisis on Congress, the members of his party in Congress are trying to make political hay out of a 3-day recess next week.

We already had one display of demagoguery on this subject last Thursday, and I do not think another one is necessary.

In the first place, the so-called 10-day recess is a misnomer. There is a span of 10 days from adjournment until the next meeting. However, four of these days are weekends, 2 days are Fridays, on which we do not normally schedule sessions—and I have not heard any strenuous objections from the other side of the aisle over unscheduled Fridays this year—and 1 day is the Thanksgiving holiday. That leaves 3 days in which we could hold sessions, but I submit those days could better be spent in our district. I plan to spend the time in Buffalo, as I usually do.

The irony of the situation is that some of the conscience-stricken Members have already planned vacations for those days, while many of us who intend to visit with our constituents would find it no hardship to report to Washington November 19, 20, and 21. Congress has evolved into an 11- to 12-month session each year, anyway.

Actually, very little of substance has been said in this series of pious speeches by the Republicans. Democrats have been accused of lagging behind on legislation to ease the energy crisis. In fact, the President, as the Republicans are well aware, was given authority for emergency fuel allocation last April, and is only acting now.

The mandatory fuel allocation conference report was filed Saturday—and it was delayed time and again by administration request to await the President's emergency energy plan. In spite of the fact that his energy legislation proposals have been far behind his promises to submit them, we have been steadily working on numerous aspects of energy problems. We passed the Alaska pipeline authorization yesterday—after nearly a week's delay caused by a Republican objection. My Republican friends might consider talking with their objectors instead of trying to lay the blame on Democrats.

Further, the Judiciary Committee has announced its scheduled hearings on Representative FORD's confirmation, and the leadership has scheduled the House vote for December 3. The Senate Interior Committee yesterday reported out the emergency energy legislation requested by the President last week—legislation which had, incidentally, been introduced before the request was finally sent to Congress—and the Interstate and Foreign Commerce Committee begins hearings on it tomorrow. The Senate Commerce Committee has concluded hearings on implementation of year-round daylight saving time, and the House committee began hearings today. As an early advocate and sponsor of this legislation, I am confident the Democratic Congress will pass the bill in the near future.

I have great respect for my Republican friends, but believe that instead of attacking the House leadership, they might better their time utilizing the 3-day recess talking to their constituents—unless the recent election results made Washington more appealing than coming home to visit with their constituents. They could also usefully try to convince the President not to carry out the threatened veto of urban mass transit or Alaska pipeline legislation.

There is one bright side to all the oratory about unfinished business—it is the strongest indication we have had all year that the Republicans are anxious to cooperate in passing reform legislation.

AD HOC ADVISORY GROUP ON PUERTO RICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Puerto Rico (Mr. BENITEZ) is recognized for 5 minutes.

Mr. BENITEZ. Mr. Speaker, the President of the United States and the Governor of Puerto Rico created on September 20, 1973, a new ad hoc advisory group pursuant to the 1967 plebiscite on the status of Puerto Rico. The group has 14 members—7 appointed by the President of the United States of America and 7 appointed by the Governor of the Commonwealth of Puerto Rico.

The Presidential appointees of the ad hoc advisory group are: Senator MARLOW W. COOK, Senator J. BENNETT JOHNSTON, Senator JAMES L. BUCKLEY, Representative DON H. CLAUSEN, Representative THOMAS S. FOLEY, Richard B. Ogilvie, Esq., Mr. Paul N. Howell.

Puerto Rico's representation included former Gov. Luis Muñoz Marín, as well as the president of the senate, the speaker of the house, the secretary of state, a leading senator from the opposition, a former secretary of finance and myself.

Mr. Speaker, I should like to report that the new advisory group held its first public meeting in the Capitol Building of the Commonwealth, in San Juan, Puerto Rico, on November 11, 1973.

The seven Puerto Rican members submitted a proposal concerning the nature, and the goals of Commonwealth status.

The proposal, reproduced here in full, was received and accepted by the whole group as its first working paper and basic agenda.

Public hearings on the specific items included in the proposal will be held in Puerto Rico during the next meeting of the committee on December 7, 8, and 9, 1973.

Mr. Speaker, I should also like to take this occasion to express the appreciation of the people of Puerto Rico, not only for the personal commitment, but also for the hard work already put in by the Presidential appointees this last weekend in the Commonwealth.

Senator MARLOW COOK and I will continue to report to our respective bodies on the progress of the advisory group, so that Members on both sides of the aisle can be periodically advised of our progress toward the further development of the Commonwealth concept and reality. Perhaps our work here may even serve as a useful point of reference for working out viable relations between "stronger" and "weaker" nations throughout the whole world.

The proposal follows:

PUERTO RICO'S PROPOSAL

The Puerto Rican members of this Advisory Group wish to identify for their United States colleagues the matters they feel deserve the main attention of the Joint Advisory Committee. It is hoped that once a consensus on such matters has been reached—both as to their nature and as to the general perspective—we may jointly agree on an expeditious and satisfactory *modus operandi* to guide our deliberations, studies, and recommendations.

The Charter of this Committee declares that:

The President of the United States and the Governor of Puerto Rico, "in order to implement the will of the people of Puerto Rico freely expressed in the plebiscite of 1967" appointed seven (7) members each to constitute the Advisory Group. That plebiscite held on July 23, 1967, pursuant to P.R. Law No. 1, December 23, 1966 submitted to the Puerto Rican electorate the status alternatives of Commonwealth, Statehood and Independence, the electorate decided, "to develop the Commonwealth in accordance to its fundamental principles to a maximum of self-government and self-determination within the framework of Commonwealth."

The Commonwealth slot in the ballot defined the framework of association or union between Puerto Rico and the United States as: "a common defense, a common market, a common currency, and the indissoluble link of the United States citizenship."

Notice that the Charter of the Ad Hoc Committee reproduces the exact language of the plebiscitary mandate. The recommendation on holding a plebiscite to determine the will of the Puetro Rican people has historic roots in our tradition. It was originally proposed—unsuccessfully—to adjudicate the questions resulting from the Hispanic American War raised by Article 9 of the Treaty of Paris: "The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress."

Before and after the ratification of the Treaty, Eugenio María de Hostos, an illustrious Puerto Rican patriot, recommended a plebiscite on status to President McKinley. The Unionist Party, the dominant Puerto Rican party from 1904 to 1924, adopted a plebiscite resolution on September 1914. The Speaker of the Puerto Rico House of Delegates, José de Diego, was its leading proponent. The plebiscite proposal remained dormant after the Organic Act of 1917 and De Diego's death in 1918

Following an extensive process of democratic consultation Commonwealth status for Puerto Rico was established on the 25th July 1952. That process involved on Puerto Rico's side the status program submitted in the general elections of 1948 by the Popular Party, a referendum in 1951 approving Public Law No. 600, the election of a Constitutional Convention and the final ratification of the Constitution and of the whole process in a second referendum. On the Federal side it included two congressional enactments, both of them subject upon approval by Puerto Rico, so as to take effect.

However, the subsistence in the Puerto Rican Federal Relations Act of what were called "colonial vestiges" and the continued claim of minority groups for Statehood and for Independence led the then Governor of Puerto Rico, Luis Muñoz Marin and the late President John F. Kennedy "both as a matter of fairness to all concerned and of establishing an unequivocal record" to recommend a further examination of the United States-Commonwealth relationship. The final outcome of that interchange was the creation of the U.S.-Puerto Rico Commission on the Status of Puerto Rico. This Commission also arises on the basis of legislation approved parallel in Congress and the Legislature of the Commonwealth. (Public Law 88-271,

February 20, 1964 and Law No. 9, April 13, 1964.)

After two years of extensive studies, researches and hearings the Status Commission renewed the plebiscite recommendation reporting that: "The Commission's major conclusion is that all three forms of political status—the Commonwealth, Statehood, and Independence—are valid and confer upon the people of Puerto Rico equal dignity with equality of status and of national citizenship. Any choice among them is to be made by the people of Puerto Rico, and the economic, social, cultural, and security arrangements which would need to be made under each of the three status alternatives will require the mutual agreement and full cooperation of the Government of the United States. A first step toward any change in political status must be taken by the Puerto Rican people acting through constitutional processes."

The final recommendation followed: "If the people of Puerto Rico should by plebiscite indicate their desire for Statehood or Independence, a joint advisory group or groups would be constituted to consider appropriate transition measures. If the people of Puerto Rico should maintain their desire for the further growth of the Commonwealth along the lines of the Commonwealth Legislative Assembly's Resolution No. 1 of December 2, 1962, or through other measures that may be conducive to Commonwealth growth, a joint advisory group or groups would be convened to consider these proposals."

In the light of the above summary as well as of the terms of its own Charter, the task of this Advisory Group centers on the further development of Commonwealth. *The Estado Libre Asociado de Puerto Rico,* to use the Spanish designation which seems more precise for our present purposes reflects a creative effort to establish a free permanent relationship voluntarily entered into between Puerto Rico and the United States that is mutually satisfactory and whereby the social and political freedoms inherent in the fundamental values of democracy, citizenship and the cultural identity of Puerto Rico can be effectively enjoyed by our people. The Preamble of the Constitution of the Free Associated State summarizes its purposes:

"We, the people of Puerto Rico, in order to organize ourselves politically on a fully democratic basis, to promote the general welfare, and to secure for ourselves and our posterity the complete enjoyment of human rights, placing our trust in Almighty God, do ordain and establish this Constitution for the Commonwealth which, in the exercise of our natural rights, we now create within our union with the United States of America.

"In so doing, we declare:

"The democratic system is fundamental to the life of the Puerto Rican community:

"We understand that the democratic system of government is one in which the will of the people is the source of public power, the political order is subordinate to the rights of man, and the free participation of the citizen in collective decisions is assured:

"We consider as determining factors in our life our citizenship of the United States of America and our aspiration continually to enrich our democratic heritage in the individual and collective enjoyment of its rights and privileges; our loyalty to the principles of the Federal Constitution; the coexistence in Puerto Rico of the two great cultures of the American Hemisphere; our fervor for education; our faith in justice; our devotion to the courageous, industrious, and peaceful way of life; our fidelity to individual human values above and beyond social position, racial differences, and economic interests; and our hope for a better world based on these principles."

Article I of the Constitution entitled "Commonwealth" reads:

"Section 1. The Commonwealth of Puerto Rico is hereby constituted. Its political power emanates from the people and shall be exercised in accordance with their will, within the terms of the compact agreed upon between the people of Puerto Rico and the United States of America.

"Section 2. The government of the Commonwealth of Puerto Rico shall be republican in form and its legislative, judicial and executive branches as established by this Constitution, shall be equally subordinate to the sovereignty of the people of Puerto Rico."

The plebiscite mandate of 1967 reaffirms the existence of a distinct body politic—The Free Associated State of Puerto Rico.

This mandate and the considerations expressed above call for the following criteria to serve as guiding principles in our task.

1. Commonwealth status should be developed within its own framework to the maximum of self-government and self-determination compatible with a common defense, a common market, a common currency, and the indissoluble link of United States citizenship.

2. The government of the United States should exercise with reference to Puerto Rico such powers as are essential to the basic elements of the permanent union between the United States and Puerto Rico.

3. As respects such powers as will be exercised by the United States under (2) above, alternate forms of participation in federal decisions affecting Puerto Rico ought to be considered together with the Presidential Vote recommended by the first Ad Hoc Advisory Group.

4. The principles of self-determination, self-government and government by specific consent of the governed.

The Puerto Rico Federal Relations Act and related legislation are not an adequate embodiment of the constitutional relationship between Puerto Rico and the United States. Together with very many desirable and essential provisions pertaining to the meaning and purposes of The Free Associated State, the Federal Relations Act retains anachronic, deleterious, and confusing expressions held over from the Foraker Act of 1900 and the Jones Act of 1917, as amended. Such expressions have no place in a declaration of permanent union or association.

In order to reduce the proposals under consideration to the bare minimum, Public Law 600 limited itself to preserve the basic scheme of relationship via retaining the old section numbers under the new generic title *Puerto Rico Federal Relations Act.* Under this arrangement several indispensable provisions remain intertwined with thoroughly objectionable expressions.

A few instances serve to illustrate the point:

The Puerto Rico Federal Relations Act retains the initial clause of the Organic Act of 1917. It declares: "That the provisions of this Act shall apply to the island of Puerto Rico and to the adjacent islands *belonging to the United States,* and waters of those islands." The underscored clause is, of course, objectionable and has been used over and over again at the United Nations and elsewhere to argue that Puerto Rico "is a colony of the United States".

Section 10 provides, "That all judicial processes shall run in the name of United States of America, as, the President of the United States". This provision completely lacks use or justification.

Other provisions go beyond questions of form. Outstanding among them is Section 9, which includes a double negative which has been the source of many legal perplexities and confusions. It provides, "That the statutory laws of the United States not locally inapplicable, except as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Puerto Rico as in the United States, except the internal revenue laws." Besides engendering a multiplicity of doubts concerning which of the statutory laws of the United States are actually in force in Puerto Rico and to what extent; it is essentially incompatible with the norm pertaining to a maximum of self-government.

In keeping with the charge that, "The Advisory Group will inquire into and report and recommend on the extent to which of the statutory laws . . . of the United States should apply in Puerto Rico", it will be indispensable for the whole Puerto Rico Federal Relations Act to be reexamined and rewritten. This will be necessary not only to strike out surplusages and to bring it up to date, but also to clarify the basic nature of the relationship between Puerto Rico and the United States.

This involves the elimination of provisions that impinge on self-government as well as the inclusion of such language as may be necessary to safeguard the basic framework of the Free Associated State relationship. It will be necessary also to explore diverse ways of participation on matters pertaining to that basic framework of union with the United States as defined both in the plebicite and in the Charter of the Committee. In short, that the Federal Relations Act in its present form does not constitute a truly organic body of law governing the terms of Puerto Rico's free association to the United States. On the contrary there are many other provisions of law governing such relationship. The Act must be revised so that, at least, the basic outline of the relationship be established in a single and coherent statute that replaces the Federal Relations Act and related legislation in harmony with present realities, and the plebiscitary mandate.

The end result of this task will naturally have to reflect recommendations obtained in connection with other matters which the Advisory Group from time to time may decide to consider. Initially, we recommend among other matters it ought to examine the following:

1. Revision of the Federal Relations Statute.
2. Acquisition, retention and disposition of federal property in Puerto Rico.
3. Common defense;
4. Ways in which Puerto Rico may participate in federal decisions affecting the Island and the applicability of federal laws to Puerto Rico;
5. Immigration of aliens;
6. Navigable waters;
7. Coastwise shipping laws;
8. Minimum wage and other labor matters;
9. Tariff policy and external trade matters;
10. Financial laws;
11. Laws relating to ecological matters;
12. Laws relating to planning;
13. Laws relating to communications;
14. Transportation matters;
15. New forms of federalism or association. Participation of the Associated Free State of Puerto Rico in international affairs in ways compatible with its permanent union or association to the United States.

SAN JUAN, PUERTO RICO, NOVEMBER 11, 1973

Hon. Luis Muñoz Marín, former Governor of Puerto Rico, Co-Chairman.

Hon. Jaime Benítez, Rosident Commissioner from Puerto Rico to the United States.

Hon. Juan Cancel Ríos, President of the Senate of Puerto Rico.

Hon. Justo Méndez, Member of the Senate of Puerto Rico.

Hon. Victor M. Pons, Jr., Secretary of State for Puerto Rico.

Hon. Luis Ernesto Ramos Yordán, Speaker of the House of Representatives of Puerto Rico.

Mr. Angel Rivera, President of Banco Crédito Ahorro Ponceño.

ADMINISTRATION'S FUEL ALLOCATION PROGRAM ALL BOTTLED UP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FULTON) is recognized for 5 minutes.

Mr. FULTON. Mr. Speaker, without going into the question of how a nation such as ours could be so totally unprepared for the energy situation we face when we have been warned and have known for months, even years, that it was coming I would like to express my complete dismay and consternation at the way the present mandatory fuel allocation is being mishandled.

While I make no claim at having a complete picture of this bungled job on a nationwide basis, I have it on rather good authority that what is happening in my particular region, the Southeast, reflects the picture for the entire United States.

As you know distributors are supplying middle distillate fuels, kerosene, jet fuel, home heating oil, diesel fuel, and others, on the basis of 1972 volume received by customers. However, under this program there immediately arose some glaring inequities.

Individuals or firms which had no concontract with their present distributor in 1972 were informed they could expect no more fuel.

Certain businesses which used an unusually smaller amount of fuel in 1972 because of weather or other factors beyond their control find now they are cut back to well below average operating requirements.

There are just two examples.

One firm in my district was trapped in a situation similar to these and called on me for aid. Following the advice received last week at a briefing given by the Office of Oil and Gas we referred him to the Atlanta regional office.

Immediately I was contacted by him again saying he could not get through to the Atlanta office by phone.

Mr. Speaker, that was Thursday, November 1. Since that time my office has attempted to call the Atlanta regional office on an average of five to six times a day. The result is either a busy signal or no answer.

The Atlanta office has three numbers. Two of them never answer. A third sometimes rings busy or does not answer.

Yesterday, after six morning calls which rung without answer, my office called the office of Oil and Gas in Washington to inquire as to whether or not there was anyone actually in the Atlanta office and whether or not the number we were using was correct. On each count the answer was affirmative. Still nothing was done to help me reach Atlanta nor was any help offered other than the explanation that the staff in Atlanta might be in conference.

To make matters even worse my office called the Washington office of Oil and Gas again about noon to seek additional assistance. When told the official in charge at the office was out to lunch we asked to speak to an assistant. We were told he was out to lunch. When we asked if anyone were in with whom we could speak we were told the entire office was out to lunch.

However, Mr. Speaker, I do not want to leave the impression that I or my staff are unresourceful. We knew there was a way to reach the Atlanta regional office if we just kept tyring.

Now I believe we have discovered the secret. Though I have not tried it yet but I am told by one who has that it works. What is necessary is to call the Forest Service in Atlanta. That office is just across the hall from Oil and Gas. You leave word of an emergency and Mr. Don Hammonds, the Oil and Gas regional administrator, may call you back.

To be truthful, Mr. Speaker, I am somewhat hesitant to try this approach. What would happen if I actually reached the regional office? If the confusion and inability to function there is as great as I am led to believe then I fear there would be no relief available, only failure in success.

Mr. Speaker, business are closing down because their owners and operators cannot get fuel. Workers are being laid off just at the beginning of the Christmas season because their employers cannot get fuel.

All of this because the Federal Government is not functioning. It is not necessary, I do not believe, to harangue about this situation. It is so deplorable that it speaks loudly for itself.

And to further add insult to injury the necessary Government forms for relief applications are not yet distributed.

Should it be necessary to ration fuel, it is my fervent hope that the administration will finally learn that meeting the fuel emergency requires more than asking America to turn down its thermostats and drive 50 miles an hour. It requires long and careful planning. It requires contingency programs and it requires leadership.

The administration's mandatory fuel allocation program demonstrates a complete and utter absence of any of these ingredients.

This is an unexcusible disgrace and a good many Americans are going to suffer needlessly because of it.

THE ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. CLARK), is recognized for 5 minutes.

Mr. CLARK. Mr. Speaker, one of our Nation's greatest assets—an integral ingredient supporting and, indeed, fueling our progress to the position we now hold in the world—had been our ability to supply an ever-enlarging source of energy for our people.

Now, the energy crisis is upon us and we are searching out ways to slow down our progress, impede our growth, and conserve our energy supplies, so as not to create a national disaster which would leave people without light and heat for their homes, and leave industry without the power to turn the wheels of progress.

There is no doubt that this must be done. There is no doubt that it can be done. There is no doubt in my mind that it will be done through the cooperative effort of government, business, and industry and the people of our country because everyone knows the power of the American people to unite and accomplish a task of national emergency.

But implicit in our goal to conserve energy must be some evaluation of how this crisis came about. And I would like to submit that more than a small part has been played by overzealous protectors of the environment who have, through well-intentioned but misguided effort, succeeded in putting handcuffs on the busy hands of our industrial might, bringing about the threat of economic strangulation and feeding the flames of rampant inflation.

As a Representative of a State which has beneath its surface large deposits of energy in the form of coal, I would like to state for the record my irritation and frustration at the rules and regulations promulgated by environmental enthusiasts which prohibit the use of coal to fire electric powerplants, steel mills, blast furnaces, and other industrial plants because that vast source of energy, in greater supply than any other within our shores, has a sulfur content which these self-appointed experts feel is damaging to the health and well-being of our people.

And at the same time when any and all sources of energy are desperately required to meet energy needs, coal is being criticized for not being available and the coal industry is being scrutinized and chastised for not having the productive capacity to bring about mining and distribution miracles that would bring about plentiful supplies of coal at locations spread far and wide around the country. That would take, I submit, a wave of an industrial wand.

There is no industrial wand. The past 5 to 7 years have seen the implementation of environmental rules and regulations at both State and Federal levels which have discouraged rather than encouraged energy producers like coal companies from bringing about solutions to the energy crisis from which we are now suffering.

Right now, sulfur content regulations for all fuels are so stringent that we will have to go through the process of deregulation—a complicated and time-consuming procedure—in order to clear the way for coal to aid in solving our energy crisis complications.

I trust that this will be done. But I pray at the same time that we will not allow continued and further intervention by environmentalists which will delay or prohibit the production and distribution of coal. The vast quantities of this valuable resource should be mined and distributed in a climate of technical and economic encouragement. The men and machines required to produce the resource should be supported by legislation which will complement rather than frustrate coal mine operators. Legislation encouraging the utilization of coal in powerplants and industrial plants should be speeded and passed and finally, environmental concern should be looked at in a rational perspective for, while no one wants deliberate degradation of

our natural environment, we have clearly overreacted, overregulated, overemphasized, overprophesied and overdramatized environmental protection to the stage where we have begun to strangle the energy lifelines which have given this Nation the standard of living and the astounding progress we have achieved.

The time has come for clear thinking members of Congress to recognize that dark streets, cold homes and silent factories are not America's destiny, that we have abetted foolish fuel fallacies with pitiful policies and must rectify our errors with thoughtful, consistent, enlightened action that puts the energy needs of people at least alongside if not ahead of the myopic environmentalists who can only see the bosom of Mother Nature. We cannot cure the admitted industrial pollution that has accumulated over the 200 years of our Nation's history, in 1 or 2 years of regimented enforcement that could bring this nation to its economic knees and make us prey for old-world domination that we so successfully escaped in 1775.

The administration dreamers have come up with still another gimmick in "Project Independence," designed, the President says, to make America self-sufficient in a few short years. Words are a dime a dozen and this administration has coined more phrases than the government has bureaus, while bowing to every whim of all the various cults of the Friends of the Earth, but what we are in drastic need of now—is action. "Project Independence" will not get off the ground if we do not free up the only resource America has in abundance—and that is coal, gentlemen. We have wasted so much time already that I hate to mention the word again, but a time reference is necessary if we are to put the coal situation into proper perspective; if we passed every law that is necessary to free coal from environmental shackles, it would take at least 24 months to get into the production that would be necessary to substantially ease the energy crisis.

THE NOMINATION OF GERALD R. FORD

(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, I would like to speak briefly about the nomination of the minority leader of the House, GERALD FORD, of Michigan, to the Office of Vice President.

It is in the best interest of the country that the office be filled just as soon as reasonable men can do so following the procedures prescribed by the 25th amendment. I know the House Judiciary Committee will move with all due speed, without in any way sacrificing a thorough investigation, to report their findings and the nomination to the floor for full House debate and consideration.

At a time when the resignation or impeachment of the President is an open question, it is essential to the security of the Nation that the question of succession be settled. Particularly in view of the serious international tensions of recent weeks, America and the world must know that our deeds and commitments, especially in the Middle East, are meaningful; that the stands and policies of our Government are not threatened by instability.

We are faced with the twin specters of an energy crisis and Soviet designs in the Middle East. The future of our country and that of Israel, our close friend and ally for over 25 years, are inextricably entwined. If we stand firm in our commitment to conservation and self-sufficiency, if we resist economic blackmail which would force us to sacrifice our principles and our friends, then America can emerge from the present crisis as a truly great Nation. At a time such as this trust and leadership are crucial.

The American people and the nations of the world must know that the firm policies of the present administration in regard to the preservation of peace in the Middle East and the protection of Israel do not depend on any one man, even if that man is now the President. The world must also know that at such a time the Congress will not play partisan politics by seeking to thwart the nomination of Representative FORD.

Mr. FORD has been a true friend of Israel throughout the years, understanding both our moral commitment to that young country as well as the vital role that commitment plays in the defense of the free world.

Politically Representative FORD and I are different animals. In the normal course of events there is precious little in domestic politics we agree on. During the years we served together we have been almost uniformly on the opposite side of the legislative fence. But Mr. FORD faithfully represents the political philosophy espoused by President Nixon in the 1972 Presidential election and so deserves confirmation.

The nomination of Mr. FORD was greeted with wide approval in both Houses of Congress. That is due in large part to his record of 25 years in the House of Representatives. He is known here, and liked, for his open, straightforward approach in legislative matters. He is not consumed by ambition, nor obsessed by power, of which he has had considerable at his disposal during his tenure as minority leader. He is personable, a good listener and highly trained in the legislative arts. He would bring to the administration something that it has been lacking for the last 5 years, an understanding of the governmental process, the legislative process, and the intricate workings of Congress.

The striking similarities in the basic political philosophy of the minority leader and the administration suggest a harmonious relationship at the White House that may be reflected on the administration's legislative program. Yet that is not to say Mr. FORD is not his own man. He was not hurriedly tailored for the job. The similarities in the philosophy of the two are sincere, not contrived.

It is with these thoughts in mind that I urge House confirmation of the nomination with all due speed, if a fair and thorough assessment on the nomination by the Judiciary Committee discovers no information that might cast doubt on his qualifications.

I believe GERALD FORD will be a strong Vice President and if called upon a strong President in the difficult times ahead.

H.R. 9142, NORTHEASTERN RAILROAD SYSTEM

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, last Thursday the House passed H.R. 9142, a bill to restructure and revitalize the Northeastern railroad system. I supported this bill because I considered it a well-balanced, well-constructed approach to an extraordinarily complex situation. I feel that the labor protection provisions, abandonment clauses and the general approach to restructuring the rail system in the Northeast provide a solid basis for restoring quality rail service in that area. The House is to be commended for its speedy action, which should have the effect of eliminating the threat of economic turmoil that liquidation of the bankrupt railroads in the Northeast would have caused.

We should note, however, that one of the main reasons for committing massive amounts of the taxpayers' money to reorganizing the rail system in the Northeast, was the bankruptcy of the Penn Central. On June 21, 1970, the Penn Central Railroad, formed just 2 years and 4 months earlier in the largest merger in American corporate history, became the largest company in American history to declare bankruptcy. A subsequent 2-year investigation by Chairman WRIGHT PATMAN and the Banking and Currency Committee, in which I participated, opened a Pandora's Box of dubious management practices, inside selling of Penn Central stock and various acts of questionable legality. Actions by the executive staff of the Penn Central were so flagrant and varied that within the short span of 16 months the Justice Department of the United States, under prodding by Chairman PATMAN, launched a vigorous and thorough investigation into allegations of illegal misconduct by the executive management of the Penn Central Railroad.

The investigation by the Justice Department was so vigorous that today, some 23 months later, not one single indictment has been handed up. It has now been 41 months since the Penn Central went bankrupt, leaving the trustees of the railroad with the impossible task of trying to reorganize a railroad on the verge of not only financial but physical collapse. I have written several times this year to the Justice Department requesting action on this case only to learn that, yes, indeed, "the investigation is continued." One can only wonder if the statute of limitations will run out before the Justice Department gets around to a vigorous pursuit of this case, a case a freshman law student could probably crack, despite its complexity.

I must apologize for my caustic remarks, for I am sure there are many fine, dedicated people working on the Penn Central case, but when I think of the untold economic disruption and expense to the Nation I cannot help but think of what the taxpayer feels about all this. I think of the average citizen who dutifully pays his taxes, and struggles to support his family, one whose only crime is an occasional traffic ticket, which he promptly pays. What does this person think when he sees the rich, the powerful, the affluent breaking the law with impunity, without fear of the law, while the Department of Justice seemingly is incapable of action.

I believe that if we are to allow the corporate criminal to go unpunished or to drag out the proceedings as we have seen in the prosecution of the Penn Central case, the respect and love the average citizen has toward his system of government will crumble into disillusionment. If the Justice Department seems unwilling to take action in the case, then it must be the duty of the Congress to push aggressively for a resolution of the matter. I have strongly urged several times that the House of Representatives open an investigation into the Justice Department's conduct of this matter. I again repeat this request and hope you will join me in this effort to restore respect to our system of criminal justice.

CONGRESSMAN JAMES M. HANLEY'S ADDRESS AT THE DEDICATION OF THE NEW YORK STATE GRANGE HEADQUARTERS IN CORTLAND, N.Y.

(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, on Sunday, October 21, 1973, the New York State Grange dedicated its new $3.4 million headquarters building on Grange Street in Cortland, N.Y. During the 1960's I had the pleasure to represent Cortland County in Congress. The State Grange would have been hard pressed to find a more appropriate location than Cortland County. For years it has been one of the most viable and productive agricultural areas in the Northeast, especially in terms of dairy farming.

The Grange has long been a symbol of dedication to family, community, and country. These attributes are less easily found in the present day than ever before. Yet one man who strongly personifies this dedication to family, community, and country in his own person was the keynote speaker at that dedication, our beloved colleague, the gentleman from New York (Mr. HANLEY), who now represents Cortland County in Congress.

I also feel strongly, Mr. Speaker, that Congressman HANLEY's very pertinent remarks at that dedication deserve the attention of every Member of this Congress. For that reason, under leave to extend my remarks, I include the full text of Congressman HANLEY's speech. Also I include a news article from the Cortland Standard setting forth further details of this happy occasion.

The items follow:

CONGRESSMAN HANLEY'S REMARKS

Ladies and gentlemen of the New York Grange, I congratulate you on the beauty of your new state headquarters, and I welcome you to Cortland. This building is a fine symbol of the vitality of the Grange. It is also a symbol of the vitality of Cortland.

I am really deeply grateful to your master, Bob Drake, for this opportunity to participate in this dedication, and I express my best wishes to all of you.

The Grange's dedication to family, community, and country was once expressed in this fashion. First, a higher and better manhood and womanhood among ourselves. Second, never being afraid of grace and beauty which will protect and enhance our environment, our homes and our communities. Third, increasing our individual wisdom, that we may in a reasonable measure match the fabulous growth in the world's total knowledge, characterizing our day with a reasonably comparable growth in ourselves. Fourth, raising the standards of our own moral, cultural, and social achievements, that we may deserve, and in due course, command the respect of our neighbors.

I wish those were my words, but they are really yours. They were given to you six years ago when the Grange observed the 100th Anniversary of service to its members and its country.

The words came from the heart and mind of a great man—a tough fighter—a kindly and considerate gentleman—a man whose patriotism was measured by boundless enthusiasm and unlimited energy. Your national master, Herschel Newsom, so described the program and the policy of the grange when it reached its hundredth birthday.

It was characteristic of Herschel that on that occasion he looked ahead. And characteristic also of Herschel in the true grange pattern of husband and wife, family, and community, his wife Blanche worked closely with him and with the grange.

It seemed fitting and proper to take this time to note the contributions of Herschel and Blanche to the grange and to their country.

I think that it is also fitting and proper to take advantage of this occasion to discuss a matter of serious, national importance to you and me.

The United States has need of a sound and consistent economic policy, squarely based on the realities of modern domestic and international life as they relate to agriculture. This country has learned to its sorrow that eleventh hour, stop-gap decisions to ease one crisis in the economy only tend to make the total situation worse.

Helped along by two devaluations of the U.S. dollar, which had the effect of providing the foreign buyer with a 20% discount on American farm products, we are now experiencing a substantial expansion in the sale of farm production to other countries.

Unfortunately, this expansion comes when the United States is keeping farm land out of production, and response to the foreign demand for American food and fiber is slow. In 1972, the American people were treated to the spectacle of a Russian purchase of one quarter of the American wheat crop at bargain prices with a great line of credit. The U.S. supply of wheat, artificially limited and reduced by the forces of nature, went overseas.

It was a great success for the Russians and for the giant grain dealers who arranged the sale, but it was a serious, although temporary disaster for nearly everyone else involved. I say temporary because I believe that we can learn much from this event.

If the United States is going to have the opportunity in the foreseeable future to sell its agricultural production throughout the world, then sound economic policy dictates that we stop holding land out of production. Why pay for nonproduction at a time when demand for American food and fiber is at an all time high?

Artificial limits on production, without controls on exports, force the American housewife to compete with her sisters in other countries who are willing to pay much more for food than she is.

Let me hasten to add that I support the effort to increase farm income because increased farm income is the only logical way to keep large numbers of Americans in agriculture. I am committed to keeping American agriculture in the hands of the millions, not the few. Whether they fully appreciate it or not, the housewife and the small farmer share a common interest in this matter.

Serious shortages of agricultural production cause artificial price increases of substantial proportions, while overproduction results in sharp declines in farm income. Understandably so, we have been concerned about the adverse effects of overproduction in the past. However, I believe that agricultural policy for the years to come should be based as much on our best understanding of what the world marketplace will buy as on our recollections of the past.

Consider for a moment some of the dilemmas Congressmen face because the country has no consistent economic policy. We helped to wipe out the national reserves of feed grains because central New York dairy farmers lost their crops due to bad weather last year. I found myself supporting legislation to impose controls on the foreign sales of feed grains and wheat at the same time I was urging the President to life import restrictions on oil. I fought against a policy which encouraged imports of dairy products to meet domestic demand at a time when the Government was doing little to encourage an increase in the domestic production of dairy products.

I happen to believe that it is possible for the United States to adopt an economic policy toward agriculture which will promote strong farm income, encourage sufficient production to meet foreign demand, and still keep the price of a loaf of bread below fifty cents.

If some of the positions I have outlined above seem inconsistent, it is because there is no consistent economic policy designed in the short and long run to balance the economic realities of our time. For example, Americans discovered that price controls on agricultural products did not work because they were not addressed to the causes of the price increases. Controls only served to create shortages. And yet today we find the Cost of Living Council trying to hold down the price of fertilizer and the price of milk without action on the factors producing the rising costs.

The United States must end the practice of running from one hole in the total economic dike to another, trying to hold back the tide. The economic dislocations we are dealing with cannot be cured by emergency, almost frantic, solutions of a temporary nature.

Ladies and gentlemen, I submit that the time is long past due for the President to call on his team to work together in support of a sound and consistent policy. What a spectacle we have with the Secretary of Agriculture, the Secretary of Commerce, the Director of the Cost of Living Council, the Secretary of the Treasury, and the Council of Economic Advisers, all going off in their separate directions. Someone has to make a decision about what policy is best for the country as a whole. Someone has to determine the common good, and then bring the troops into line in pursuit of that goal.

I know that you understand and appreciate the need for stability and consistency in the economy, and this means that all segments and all competing forces in the economy must be brought together.

Again, I appreciated having this opportunity to share in this festive occasion. This

new building is ample proof of the truth of the words of the then national master, James Draper, who told the Grange in 1886, "for this great work the Grange was organized, and it was not born to die nor will it fail in the accomplishment of its purpose".

Thank you.

CONGRESSMAN HANLEY WILL SPEAK AT GRANGE BUILDING DEDICATION

New York State Grange will dedicate its $3-4 million new headquarters building here, on a new street, Grange Place, Sunday, starting at 3 p.m. Principal dedication address will be given by 31st District Congressman James M. Hanley of Syracuse.

Serenaded by the Homer High School Band and welcomed by Master of Ceremonies Richard A. Church of Dryden, the group will also hear from State Senator Tarky Lombardi Jr., Syracuse; Assemblyman L. S. Riford Jr., Auburn; and C. Jerome Davis, Ramsey, Ind., High Priest of Demeter of the National Grange.

A number of presentations will be part of the ceremonies:

Official opening of the new city-built street by Cortland Mayor Morris Noss.

Formal presentation of the new building flagpole by William A. Duncan, director of public relations and advertising for Brockway Motor Trucks.

Gift of a new American flag flown over the U.S. Capitol by Junior Grange Prince and Princess Vernon Smith and Barbara Stepf for East Clay Junior Grange (Onondaga County).

Gift of a Grange emblem flag by the State Grange youth director, Mr. and Mrs. Donald Drake, Cherry Valley, with Prince and Princess Barry Griffith and Phyllis Gleason assisting.

Keys to the building extended by Architect Karl Wendt, Cortland.

Gift of a grand piano from Cortland County Granges presented by Pomona Master Roland Oaks.

Gift of furnishings for the State master's office in the building by Oswego Pomona Grange presented by Oswego Grange Deputy Andrew Porter, Sandy Creek.

A brief dedication ceremony will be solemnized by State Grange Master Robert S. Drake, Woodhull; Lecturer Mrs. Howard Reed, Sauquoit; Secretary Morris J. Halladay, Groton; and Chaplain Bert S. Morse, Marathon.

State officers will be presented by Grange Service and Hospitality Chairman Mrs. Cecelia Pilc, Cowlesville, State Master Drake, assisted by Junior Grange Prince and Princess Philip Rhodda and Ann Emerson, will cut a ribbon, followed by an officers' reception.

Other Grange participants include Francis Robbins, Schuylerville, leading the National Anthem, and Grange Young Couple Nelson and Mary Eddy, Black River, leading the Pledge of Allegiance.

The principal speaker, Congressman Hanley, has served the 31st District in Congress since 1964. He is a graduate of St. Lucy's Academy, Syracuse, and a member of St. Patrick's Parish. He is married and the father of two children, Christine, 19, and Peter, 17. He is a member of the House Post Office and Civil Service Committee and the House Banking and Currency Committee.

As a first term legislator he had his own bill passed by the House of Representatives. The Hanley bill, of the 89th Congress, provides for expanded benefits for dependent parents and children of servicemen who died of service-connected injuries. The 90th Congress created a new standing subcommittee of the House Post Office and Civil Service Committee, entitled "Subcommittee on Employee Benefits," and Congressman Hanley was elected as its chairman. On February 16, 1970, the House of Representatives passed the Job Evaluation Policy Act of 1970, culminating three years of efforts on the part of the Subcommittee.

During his first term in office, Mr. Hanley was a strong supporter of Medicare and authored an amendment which substantially improved the legislation.

In 1965, the Congressman was instrumental in obtaining funds enabling Le Moyne College, Syracuse, to develop a pilot program, known as "Upward Bound" designed to alleviate the problem of high school dropouts by providing a program allowing underprivileged area students to participate in a summer higher education program at the college. This program has proven most successful and is now administered on a nationwide basis through the Office of Education.

Congressman Hanley has taken a leading role in focusing federal attention on the necessity of a program designed to rehabilitate America's destroyed small lakes. He introduced legislation which would make available Federal money and resources to save the Nation's dying urban lakes, and he was successful in having his legislation approved by the House in the 90th Congress. Although the Senate failed to act on that measure, he reintroduced it in the 91st Congress and it was approved by both Houses.

The Congressman served two terms on the House Veterans' Affairs Committee, and in 1969 was elected to the Banking and Currency Committee. He is a member of the Subcommittees on Urban Mass Transit, Small Business, and Insurance and Bank Supervision.

In 1973, he was elected Chairman of the Subcommittee on Postal Service, which has all jurisdiction over the U.S. Postal Service except labor management relations and facilities.

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. PEYSER) and to revise and extend their remarks and include extraneous matter:)

Mr. KEMP, for 10 minutes, today.

Mr. CLEVELAND, for 5 minutes, today.

Mr. BAKER, for 10 minutes, today.

(The following Members (at the request of Mr. STEELMAN) to revise and extend their remarks and include extraneous material:)

Mr. STEELMAN, for 5 minutes, today.

Mr. RONCALIO of Wyoming, for 60 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. PATMAN for 30 minutes, tomorrow, and to revise and extend his remarks and include extraneous matter.

Mr. ASHBROOK for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. RYAN) and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. FUQUA, for 5 minutes, today.

Mr. HARRINGTON, for 10 minutes, today.

Mr. DAVIS of South Carolina, for 5 minutes, today.

(The following Members (at the request of Mr. ANDREWS of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. FRASER, for 5 minutes, today.

Mr. DULSKI, for 5 minutes, today.

Mr. BENITEZ, for 5 minutes, today.

Mr. FULTON, for 5 minutes, today.

Mr. CLARK, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ROUSH.

Mr. MAHON, his remarks today.

Mr. ECKHARDT, his remarks preceding the vote on the Labor-HEW appropriations conference report today.

Mr. ROGERS in five instances, and to include extraneous material.

Mr. BIAGGI, his remarks prior to the vote on the motion to recommit on the Labor-HEW conference report today.

Mr. GRAY in two instances, and to include extraneous material.

Mr. FRASER, and to include extraneous matter notwithstanding the fact that it exceeds 4½ quarter pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $888.25.

The following Members (at the request of Mr. PEYSER) and to include extraneous matter:

Mr. BROWN of Ohio.

Mr. DERWINSKI in two instances.

Mr. KEMP in four instances.

Mr. KUYKENDALL in two instances.

Mr. YOUNG of Alaska.

Mr. ESHLEMAN.

Mr. BROYHILL of Virginia.

Mr. ARENDS.

Mr. WYMAN in two instances.

Mrs. HOLT.

Mr. SHUSTER.

Mr. BOB WILSON in two instances.

Mr. HUDNUT.

Mr. SMITH of New York.

Mr. MARAZITI.

Mr. ZWACH.

Mr. STEIGER of Wisconsin in two instances.

Mr. SYMMS.

Mr. TAYLOR of Missouri in two instances.

Mr. SHRIVER.

Mr. LOTT.

Mr. HOSMER in two instances.

Mr. BURKE of Florida.

Mr. MICHEL in five instances.

Mr. FROEHLICH.

Mr. HUBER.

Mr. COLLIER in five instances.

(The following Members (at the request of Mr. STEELMAN) and to include extraneous material:)

Mr. RONCALLO of New York in three instances.

Mr. HOGAN.

Mr. PRITCHARD in five instances.

Mr. BROYHILL of North Carolina.

Mr. ZION.

Mr. SPENCE.

Mr. MIZELL.

(The following Members (at the request of Mr. RYAN) and to include extraneous matter:)

Mr. SISK.

Mr. COTTER in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. MINISH.

Mr. HOLIFIELD.
Mr. WAGGONNER.
Mr. MAHON.
Mr. HARRINGTON in five instances.
Mr. BADILLO in two instances.
Mr. KOCH.
Mr. ADAMS.
Mr. VAN DEERLIN.
(The following Members (at the request of Mr. ANDREWS of North Carolina) and to include extraneous material:)
Mr. STARK in 10 instances.
Mr. SYMINGTON.
Mr. LEHMAN.
Mr. STOKES.
Mr. DE LA GARZA.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1081. An act to amend section 28 of the Mineral Leasing Act of 1920, and to authorize a trans-Alaska oil pipeline, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 4771. An act to authorize the District of Columbia Council to regulate and stabilize rents in the District of Columbia.

ADJOURNMENT

Mr. ANDREWS of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p.m.) the House adjourned until tomorrow, Wednesday, November 14, 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:

1548. A letter from the President of the United States, transmitting proposed supplemental appropriations for fiscal year 1974 for the Supreme Court (H. Doc. No. 93-188); to the Committee on Appropriations and ordered to be printed.

1549. A letter from the President of the United States, transmitting a proposed supplemental appropriation for fiscal year 1974 for the Department of Labor (H. Doc. No. 93-189); to the Committee on Appropriations and ordered to be printed.

1550. A letter from the Administrator, Agency for International Development, Department of State, transmitting a report on the implementation of section 620(s) of the Foreign Assistance Act of 1961, as amended, during fiscal year 1973; to the Committee on Foreign Assistance.

1551. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to improve and extend the Public Health and National Health Service Corps scholarship training program; to the Committee on Interstate and Foreign Commerce.

RECEIVED FROM THE COMPTROLLER GENERAL

1552. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Federal Home Loan Mortgage Corporation for calendar years 1971 and 1972, pursuant to 12 U.S.C. 1452; to the Committee on Government Operations.

1553. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Export-Import Bank of the United States for fiscal year 1973, pursuant to 31 U.S.C. 841 (H. Doc. No. 93-190); to the Committee on Government Operations and ordered to be printed.

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. BLATNIK: Committee on Public Works. Senate Joint Resolution 155. Joint resolution authorizing the securing of storage space for the U.S. Senate, the U.S. House of Representatives, and the Office of the Architect of the Capitol (Rept. No. 93-629). Referred to the Committee of the Whole House on the State of the Union.

Mr. SIKES: Committee on Appropriations. H.R. 11459. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes. (Rept. No. 93-638.) Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. S. 2503. An act to name a Federal office building in Dallas, Tex., the "Earle Cabell Federal Building". (Rept. No. 93-637). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. H.R. 6862. A bill to name the headquarters building in the Geological Survey National Center under construction in Reston, Va., as the "John Wesley Powell Federal Building". (Rept. No. 93-635). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. H.R. 9430. A bill to name the U.S. courthouse and Federal office building under construction in New Orleans, La., as the "Hale Boggs Federal Building", and for other purposes. (Rept. No. 93-636). Referred to the House Calendar.

Mr. PIKE: Committee of conference. Conference report on S. 2408 (Rept. No. 93-634). Ordered to be printed.

Mr. BOLLING: Committee on Rules. House Resolution 694. Resolution providing for the consideration of H.R. 11216. A bill to amend Public Law 93-60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 93-630). Ordered to be printed.

Mr. MATSUNAGA: Committee on Rules. House Resolution 695. Resolution providing for the consideration of H.R. 11333. A bill to provide a 7-percent increase in social security benefits beginning with March 1974 and an additional 4-percent increase beginning with June 1974, to provide increases in supplemental security income benefits, and for other purposes (Rept. No. 93-631). Ordered to be printed.

Mr. MURPHY of Illinois: Committee on Rules. House Resolution 700. A resolution providing for the resolution (H. Res. 128) expressing the sense of the House of Representatives with respect to actions which should be taken by Members of the House upon being convicted of certain crimes, and for other purposes (Rept. No. 93-632). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 701. A resolution waiving points of order against the consideration of the bill (H.R. 11459) and waiving points of order against unauthorized items of appropriation in said bill (Rept. No. 93-633). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPIN:

H.R. 11415. A bill to amend section 6334 of the Internal Revenue Code of 1954 to exempt from levy 90 percent of an individual's wages or salary; to the Committee on Ways and Means.

By Mr. BIAGGI (for himself, Mr. RONCALLO of New York, and Mr. WON PAT):

H.R. 11416. A bill to provide for the establishment within the Department of Health, Education, and Welfare of a National Center on Child Abuse and Neglect; to provide a program of grants to States for the development of child abuse and neglect prevention and treatment programs; and to provide financial assistance for research, training, and demonstration programs in the area of prevention, identification, and treatment of child abuse and neglect; to the Committee on Education and Labor.

By Mr. COLLINS of Texas:

H.R. 11417. A bill to provide that daylight saving time shall be observed on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. DELANEY:

H.R. 11418. A bill to amend title II of the Social Security Act to eliminate the earnings test and reduce the age of eligibility for benefits under the OASDI program, and to amend title XVIII of such act to eliminate all deductibles and coinsurance and provide coverage for drugs, eyeglasses, dentures, hearing aids, and other items under the medicare program; to the Committee on Ways and Means.

By Mr. DULSKI (by request):

H.R. 11419. A bill to insure that the compensation and other emoluments attached to the Office of Attorney General are those which were in effect on January 1, 1969; to the Committee on Post Office and Civil Service.

By Mr. FORSYTHE:

H.R. 11420. A bill to exclude from gross income the first $1,000 of interest received from savings account deposits in home lending institutions; to the Committee on Ways and Means.

By Mr. FRENZEL (for himself, Mr. BROWN of Ohio, Mr. ANDREWS of North Dakota, Mr. ARCHER, Mr. BURGENER, Mr. BUTLER, Mrs. CHISHOLM, Mr. FISHER, and Mr. WIDNALL):

H.R. 11421. A bill to amend the Federal Election Campaign Act of 1971 and the Communications Act of 1934 to provide for more effective regulation of elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. HARRINGTON:

H.R. 11422. A bill to establish a New England Regional Power and Environmental Protection Agency for the purpose of assuring adequate and reliable low-cost electric power to the people of New England, protecting and enhancing the environment, and providing a vehicle for research and development programs; to the Committee on Interstate and Foreign Commerce.

By Mr. HASTINGS:

H.R. 11423. A bill to amend title 44 of the

United States Code to designate the Daniel Reed Library at the State University College of Fredonia in Fredonia, N.Y., as a depository library; to the Committee on House Administration.

By Mr. HAYS:

H.R. 11424. A bill to authorize appropriations for the U.S. Information Agency; to the Committee on Foreign Affairs.

By Mr. HECHLER of West Virginia:

H.R. 11425. A bill to amend the Duck Stamp Act and other laws to prohibit the charging of any Federal fee to any individual who has attained age 65 for the privilege of hunting, trapping, or fishing; to the Committee on Merchant Marine and Fisheries.

By Mr. HUDNUT:

H.R. 11426. A bill to amend title 18, United States Code, to promote public confidence in the legislative branch of the Government of the United States by requiring the disclosure by Members of Congress and certain employees of the Congress of certain financial interests; to the Committee on Standards of Official Conduct.

By Mr. KEMP:

H.R. 11427. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to prohibit the Secretary of Transportation from imposing certain seatbelt standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG of Louisiana:

H.R. 11428. A bill to provide housing for persons in rural areas of the United States on an emergency basis and to amend title V of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. McCOLLISTER (for himself, Mr. WARE, and Mr. FREY):

H.R. 11429. A bill to amend the Clean Air Act to provide temporary authority to suspend certain stationary source fuel and emission limitations; to the Committee on Interstate and Foreign Commerce.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. MAZZOLI, Mr. THONE, Mr. STARK, Mr. WON PAT, Mr. TREEN, Mr. FOLEY, Mr. OBEY, Mr. McCLOSKEY, Mr. FORSYTHE, Mrs. GREEN of Oregon, Mr. SARBANES, Mr. LUJAN, Mrs. COLLINS of Illinois, Mr. COHEN, Mr. ULLMAN, Mr. LEHMAN, Mr. ALEXANDER, Mr. OWENS, Mr. SHOUP, Mr. SNYDER, and Mr. CULVER):

H.R. 11430. A bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration in cooperation with the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. JOHNSON of California, Mr. SARASIN, Mr. YATRON, Mr. FULTON, Mr. MICHEL, Mr. HAMILTON, Mr. BOLAND, Mr. WYMAN, Mr. PATTEN, Mr. BAFALIS, Mr. McKAY, Mr. NEDZI, Mr. RARICK, Mr. McEWEN, Mrs. HOLT, Mr. RODINO, Mr. JONES of Oklahoma, Mr. McCLORY, Mr. HINSHAW, Mr. BYRON, and Mr. YOUNG of Florida):

H.R. 11431. A bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration in cooperation with the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. DU PONT, Mr. HUBER, Mrs. GRASSO, Mr. RYAN, Mrs. BOGGS, Mr. SEIBERLING, Mr. SKUBITZ, Mrs. BURKE of California, Mr. RINALDO, Mr. RUNNELS, Mr. RHODES, and Mr. CASEY of Texas):

H.R. 11432. A bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration in cooperation with the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. ULLMAN, Mr. DUNCAN, Mr. BOWEN, Mr. CARNEY of Ohio, Mr. OBEY, Mr. ROUSH, Mr. MOSS, Mr. ESHLEMAN, Mr. JONES of Oklahoma, Mr. FISHER, Mr. MAZZOLI, Mr. EDWARDS of California, Mr. STUDDS, Mr. BURGENER, Mr. LEGGETT, Mr. CLEVELAND, Mr. BAKER, Mr. STEIGER of Wisconsin, Mrs. HECKLER of Massachusetts, Mr. CORMAN, and Mr. REES):

H.R. 11433. A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. RYAN, Mr. MITCHELL of New York, Mr. RHODES, and Mr. CASEY of Texas):

H.R. 11434. A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. MURPHY of New York, Mr. FULTON, Mr. PODELL, Mr. WARE, Mr. ROBINSON of Virginia, Mr. ECKHARDT, Mr. CONTE, Mr. HUBER, Mr. FRASER, Mr. McKAY, Mr. BLACKBURN, Mr. HELSTOSKI, Mr. JOHNSON of Colorado, Mr. YATRON, Mr. KETCHUM, Mr. HOGAN, Mr. MATSUNAGA, Mrs. GRASSO, Mr. PREYER, Mr. CARNEY of Ohio, and Mr. HAMILTON):

H.R. 11435. A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. TIERNAN, Mr. THOMSON of Wisconsin, Mr. FISH, Mr. MELCHER, Mr. ANNUNZIO, Mr. VAN DEERLIN, Mr. POAGE, Mr. DENHOLM, Mr. SHOUP, Mr. LUJAN, Mr. McDADE, Mr. KEMP, Mr. SCHNEEBELI, Mr. FORSYTHE, Mr. HICKS, Mr. DERWINSKI, Mr. RODINO, Mrs. COLLINS of Illinois, Mr. PEPPER, Mr. BOLAND, and Mr. WRIGHT):

H.R. 11436. A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields; to the Committee on Science and Astronautics.

By Mr. MARAZITI:

H.R. 11437. A bill to cease exports of oil and oil products from the United States; to the Committee on Banking and Currency.

H.R. 11438. A bill to cease all foreign aid to those Middle East nations that reduced the export of oil and oil products to the United States as a punitive reaction to U.S. support of Israel; to the Committe on Foreign Affairs.

By Mr. MOAKLEY (for himself and Mr. HELSTOSKI):

H.R. 11439. A bill to amend title 3 of the United States Code to provide for the order of succession in the case of a vacancy both in the Office of President and Office of the Vice President, to provide for a special election procedure in the case of such vacancy, and for other purposes; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 11440. A bill to provide for Federal control over foreign banks and other foreign persons establishing, acquiring, operating, or controlling banking subsidiaries in the United States (including its possessions); to the Committee on Banking and Currency.

By Mr. PERKINS (for himself, Mr. QUIE, Mr. HAWKINS, Mr. STEIGER of Wisconsin, Mr. BRADEMAS, Mr. BELL, and Mr. MEEDS):

H.R. 11441. A bill to postpone the implementation of the Head Start fee schedule; to the Committee on Education and Labor.

By Mr. PEYSER:

H.R. 11442. A bill to prohibit discrimination on account of sex or marital status against individuals seeking credit; to the Committee on Banking and Currency.

By Mr. QUILLEN:

H.R. 11443. A bill to amend title 38, United States Code, to provide veterans a 10-year delimiting period for completing educational programs; to the Committee on Veterans' Affairs.

By Mr. RARICK (for himself, Mr. TREEN, Mr. LANDGREBE, Mr. HUDNUT, Mr. SYMMS, Mr. WHITEHURST, Mr. COLLINS of Texas, and Mr. LEHMAN):

H.R. 11444. A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of Professional Standards Review Organizations to review services covered under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. REES:

H.R. 11445. A bill to provide emergency security assistance authorizations for Israel; to the Committee on Foreign Affairs.

By Mr. RODINO:

H.R. 11446. A bill to assure opportunities for employment and training to unemployed and underemployed persons; to the Committee on Education and Labor.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. ROY, and Mr. CARTER):

H.R. 11447. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide a mechanism to obtain information bearing on the adulteration or misbranding of food; to

the Committee on Interstate and Foreign Commerce.

H.R. 11448. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide increased assurance against adulterated or misbranded food; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 11449. 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.

By Mr. STAGGERS:

H.R. 11450. A bill to direct the President to take action to assure through energy conservation, rationing, and other means, that the essential energy needs of the United States are met, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Illinois (for himself, Mr. PEPPER, and Mr. THONE):

H.R. 11451. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. CAREY of New York:

H.R. 11452. A bill to correct an anomaly in the rate of duty applicable to crude feathers and downs, and for other purposes; to the Committee on Ways and Means.

By Mr. GOLDWATER:

H.R. 11453. A bill to amend the Consumer Credit Protection Act to provide full disclosure of contents of report to consumers; to the Committee on Banking and Currency.

H.R. 11454. A bill to amend the "Freedom of Information Act" to require consent of subject individuals before disclosure of personally identifiable information in certain circumstances; to the Committee on Government Operations.

H.R. 11455. A bill to protect the privacy of statistical reporting or research system subjects; to the Committee on the Judiciary.

By Mr. PRITCHARD:

H.R. 11456. A bill to extend daylight saving time to the entire calendar year for a 3-year period, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H.R. 11459. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes.

By Mr. HECHLER of West Virginia:

H.J. Res. 822. Joint resolution to amend title 5 of the United States Code to provide for the designation of the 11th day of November of each year as Veterans' Day; to the Committee on the Judiciary.

By Mr. HANLEY:

H.J. Res. 823. Joint resolution to provide for the designation of February 20 of each year as "Postal Employees Day"; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 824. Joint resolution designating November 11 of each year as "Armistice Day"; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H. Res. 693. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. BINGHAM (for himself and Mr. MOAKLEY):

H. Res. 696. Resolution to establish as part of the congressional internship program an internship program for senior citizens in honor of John McCormack, and for other purposes; to the Committee on House Administration.

By Mr. FROEHLICH (for himself, Mr. KEATING, Mr. RONCALLO of New York, Mr. BAUMAN, Mrs. HOLT, Mr. HUBER, Mr. HUDNUT, Mr. LANDGREBE, Mr. LOTT, Mr. MAZZOLI, Mr. MINSHALL of Ohio, Mr. O'BRIEN, Mr. POWELL of Ohio, Mr. REGULA, Mr. ROE, Mr. ST GERMAIN, Mr. SEBELIUS, Mr. SHOUP, Mr. THONE, Mr. VANIK, Mr. WALSH, Mr. WHITEHURST, and Mr. WON PAT):

H. Res. 697. Resolution creating a select committee to study the impact and ramifications of the Supreme Court decisions on abortion; to the Committee on Rules.

By Mr. KEMP:

H. Res. 698. Resolution creating a Standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

By Mr. O'NEILL (for himself and Mr. BROWN of Michigan):

H. Res. 699. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

MEMORIALS

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

326. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to observance of daylight saving time year-round; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELLENBACK:

H.R. 11457. A bill for the relief of Il Kwon Yang; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 11458 A bill for the relief of Arsenia Daitol Hingpit; 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:

352. The SPEAKER presented a petition of the Board of Commissioners, Sarasota County, Fla., relative to its confidence in and support of the President of the United States; to the Committee on the Judiciary.

353. Also, petition of Phillip B. Anderson, Pittsburgh, Pa., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

DRUG ABUSE PREVENTION WEEK

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, November 13, 1973

Mr. SCHWEIKER. Mr. President, as you know, October 21–27 was Drug Abuse Prevention Week. As sponsor of the original Senate resolution proclaiming this week, I regret the official observance may have been somewhat lost amid the clamor of recent events. However, the significance of Drug Abuse Prevention Week can never be lost for those whose lives it touched.

The message of this fourth annual Drug Abuse Prevention Week was unique, and it is one we badly needed to hear. The message was not the authoritarian "Don't use drugs." Nor was it the factual message about the chemical properties of various drugs. Rather, the focus of the week was on the specific reasons why people are using drugs in the first place. The message was that drug abuse is a sensitivity problem, and a symptom of loneliness, frustration, despair, and that persons who use drugs, whether as experimenters or addicts, are attempting in their own way to communicate that they have a deeper problem. Finally, the proclamation of Drug Abuse Prevention Week sought to shed light on the fact that communication must be viewed as one way of overcoming many of these human problems.

The main theme of Drug Abuse Prevention Week 1973 was "There's a brand-new language we're using"—a language of caring and of trying to bridge the gaps and misunderstanding that divide us. One of the booklets prepared for use by families during and after Drug Abuse Prevention Week states:

> Openness and genuine interaction between people is what the family process is all about. Where drugs are concerned, it's the kind of behavior that can help people find alternatives to handling their problems with chemicals.

Drug Abuse Prevention Week is not just a week of formal observances followed by oblivion. It is an ongoing program which I sincerely hope will be put into action in every community in the country.

Mr. President, I ask unanimous consent that the drug abuse prevention workbook for families, entitled Coming Home: A Thoughtbook for People, be printed in the RECORD. I am confident this book can shed light on ways in which we can all help prevent drug abuse.

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

COMING HOME: A THOUGHT BOOK FOR PEOPLE

INTRODUCTIONS

During the past few years, I have travelled coast to coast dozens of times, talked to thousands of people in state after state, met with audiences in tiny basement meeting rooms and huge auditoriums.

People have asked me: what about drug abuse? What about your own family's tragedy? How can we help prevent the spread of abuse?

If there were enough hours in the day, or enough time in the lives of all the people who have been so concerned, I would go back to the groups I met years ago and tell them: I didn't have all the facts. None of us did. There are things we should have talked about that we didn't, and my "answers" to drug abuse prevention today are not what they were when I set out to do something about it a few years ago.

Drug abuse and the problems people have with drugs are not very mysterious, but we

used to think they were. Back then, we were overwhelmed by the headlines that seemed to menace us every day with talk of this or that mind-altering drug, and new drug-taking behavior among young people, housewives, businessmen, rich, poor, all across the board.

There seemed to be new drugs, and new drug problems around every corner. Panic and frustration took the place of reasonable response; I recall vividly thinking, and probably saying publicly, that if only we spent all our time and resources sweeping the streets of every drug and every drug-user, things would be all right.

Now, I know that drug abuse problems are not so mysterious or special, except sometimes in the ways they work themselves out in people's lives. What's happening is that people fail in one way or another to cope with life's difficulties and obstacles. They fail to adapt, and in their search for help, they turn to drugs to fill in for what they can't do on their own. We don't have solutions to the problems associated with this kind of behavior (smoking, excessive use of alcohol, overeating are other manifestations of the same difficulty) but at least now we know better than to run away from them. We also know better than to put all the blame, all the emphasis, on the drugs used—because people, after all, is what we care about.

Drug abuse prevention depends on many things, but it seems to me that primarily it depends on helping people work things out without turning to artificial experiences or supports. People can help people best, if they learn how to relate effectively, interact compassionately and honestly, and draw strength from the relationships they build with each other. This booklet describes some of the ways that people can begin to reach out; as a collection of ideas and suggestions, it ought to make you pause a moment and consider the potential in working and sharing with others.

If I could meet again with those early audiences, I would offer some of the suggestions contained in this booklet. But I would repeat what I have said since the days when I learned, painfully and relentlessly, what drug abuse is really all about: there is no substitute for love and understanding, openness and caring, between people—none at all. Whatever else we may do to prevent drug abuse, we will have done nothing if we fail to reach out for that goal.

The first step towards drug abuse prevention is not much of a step at all, and it is everything. It is the hand that reaches out to touch another.

ART LINKLETTER,
Member, National Advisory Council for Drug Abuse Prevention.

This is a book about how people act with each other. It is not a book telling parents how to understand kids; it is not a book asking kids to have patience with the old folks. Instead, it's ideas and suggestions that might help people share with each other wherever they are: in a family, in a community center, on the street, whatever path they walk through the world.

It's been said that when people learn to trust each other, share experiences, communicate, they will be able to deal more effectively with their own lives, their own problems, and not depend too much on drugs or other hazardous experiences. Theories are fine, but these things have to be worked out in your home, on the street, on a people-to-people basis. No theories, no books, can substitute for life experiences in a family or group context.

When we talk about "family," it's not just the traditional mother-father-children cluster: we believe "family" means a *process* that happens when people are drawn together and interact because of common needs or interests. It *might* happen in a home where parents and children live together, or it might happen on the block when neighbors help each other out . . . or at a youth center . . . or between a Big Brother and his favorite kid . . . or at a halfway house where people are trying to kick a drug habit and get back to living.

And why is this book being distributed in conjunction with Drug Abuse Prevention Week 1973?

In every family, every group that pulls together for common needs or interests, there is the potential for help and respect and outlets for frustration and deep feelings. If you want to reach out to other people, it doesn't matter who you are, or what kind of "family" you come from, or any of that—race, income, where you work, how you play—none of it matters. We hope this book will have some ideas for you.

One of the ways people have been able to deal with drug abuse is to try and work things out with other people, not with more drugs. The process we call "family" has helped many people who were caught. Maybe it can help keep others from getting caught in the first place.

Families can often solve very tough problems themselves when they work at it together—but not always—even in very strong families. For these too-tough problems (sometimes including drug abuse problems), there are treatment and rehabilitation programs all over the country which are prepared to help. There are also many helping programs not specifically related to drug abuse. Help is usually in your neighborhood, and certainly in your community.

This booklet is simply a reminder that for many people, in many different situations, help is no farther away than the nearest friend or companion, relative or stranger, who will be there to work things out.

ROBERT L. DUPONT, M.D.,
Director, Special Action Office for Drug Abuse Prevention.

DIFFERENT KINDS OF LOVE AND WAR

There is nothing routine about getting along with other people. In fact, we probably get into trouble when we turn human encounters into rehearsed and predictable routines. The act and art of being human is something we work on all the time. The writer D. H. Lawrence described the goal:

"I am part of the human race . . . part of the great human race, as my spirit is part of my nation. In my own very self, I am part of my family."

Being together, caring about each other, feeling a sense of belonging, usually brings people closer together and helps them cope with problems.

Out on the streets, kids have been demonstrating the power of "belongingness" for a long time. There have always been youth gangs. Gang members talked about how it was great to be a part of the gang—to belong to a family. The political protests and rock concerts and street "happenings" of the 1960's were examples of the pulling together, the shared experience and communion that comes when people create a common bond. Urban gangs in the early 1970's—even though they sometimes work out their images in destructive ways—are demonstrating, again, how much we all need to belong.

And of course, it isn't all destructive. It has been youth "gangs," working together and sharing a common concern, that has sparked Earth Days, environmental cleanups, community health projects and many more.

The "family feeling" crops up in unexpected places. Some kids sitting on a curb in San Francisco told why they share a dirty needle when they shoot heroin:

"A feeling of fraternity . . . a feeling of belonging . . . I feel very attached . . . I like the close feeling . . . it made it more on a family thing . . . it's a lot better when you're in a group."

We might say those kids are killing each other slowly, and what kind of togetherness is that? You can argue either point. There are all kinds of sharing and all kinds of harm we do to each other—and sometimes one gets confused with the other.

A big mistake some people make is to judge human relationships based on the setting, the environment in which people find themselves. Here's an illustration:

In a crowded urban neighborhood, there's a kid who lives with his mother and her common-law husband. The man is never home, and the mother works long hours. The kid has no brothers or sisters, and spends a lot of time out on the streets. He lives in a neighborhood where drugs are plentiful, authority is determined by who's toughest, and on a hot summer night there's not much to do.

Sounds like a classic set-up for a kid in trouble—but he isn't. He and his mother are each other's best friend, and the communication between them is honest and spontaneous. She talks, he listens; he talks, she respects his point of view. They take each other seriously, and don't cop out by complaining about how tough things are or how there's nobody who cares. Because *they* care, and as members of a family, they work at making it stick.

Do broken families, single-parent homes, working mothers or absent fathers necessarily mean trouble for the family? Or are there ways for people in those situations to build bridges and keep the contacts alive?

And what about the "other kind" of family, the one that seems to be ideal? In a wealthy suburb, there's a family of seven: successful father, attractive mother, five sons. Big house, cars, private schools for the boys. There's an air of solidity, security about the family, but it's a fake. The oldest son and the father can't talk to each other; the kid has run away four or five times; the mother is ready to split; and when you get to know them, you find out that there is tension throughout the house.

We are in the middle of an age of mixed blessings. The family in the suburb has more money and material success than the family in the urban neighborhood, but what about peace of mind? How to measure it? The world is full of things to do, places to go, adventures and encounters; but does all the running sometimes pull families apart, split up people, make us strangers to each other?

Kurt Vonnegut, Jr., is a popular writer who understands this phenomenon. In an interview recently, Vonnegut talked about his view of the family, of the things that pull us together or push us apart:

"This is a lonesome society that's been fragmented by the factory systems . . . People don't live in communities permanently anymore. But they should: communities are very comforting to human beings.

"Until recent times, you know, human beings usually had a permanent community of relatives. They had dozens of homes to go to . . . if a kid got so fed up with his parents that he couldn't stand it, he could march over to his uncle's for a while. And this is no longer possible. Each family is locked into its little box.

"It's one of the weaknesses of our society that so few people are willing to be father, to be responsible, to be the organizer, to say what's to be done next . . . The standard behavior pattern in our society now is for the father to deny he's father as soon as he possibly can, when the kid is 16 or so.

"After I'm gone, I don't want my children to have to say about me what I have to say about my father: "He made wonderful jokes, but he was such an unhappy man".

UNDERSTANDING: THE HAPPY ACCIDENT

How well do we really know each other? Even in tightly-knit, "solid" families, how well does each family member know the others? Do we sometimes make judgments about people, label them and assume things about them, based only on surface impressions? (Kids with long hair are automatically "hippies and freaks," and adult men in business suits are automatically "stuffy, uptight and materialistic.")

Part of the secret of interacting effectively with people is to learn to see individual strengths and unique attributes. When you fail to do this, you tend to lump all people in categories—and that blocks out some of the good relationships that might develop. "Blanket" impressions lead to blanket judgments about people:

"I would like to suggest that you don't use speed, and here's why: It is going to mess up your heart, mess up your liver, mess up your kidneys, rot your mind. In general, this drug will make you just like your mother and father."—Frank Zappa, rock musician, leader of the Mothers of Invention.

All mothers and fathers aren't blighted the way Zappa implies, but maybe he knew one or two such people when he made his statement, and since we tend to fall into the habit of generalizing about people, all mothers and fathers take their lumps. A key to breaking through these walls of misunderstanding is for all of us to try to see each other clearly, for what we really are, not just what we seem to be.

Another important aspect of getting across is being clear about what *you* are all about. It's hard—practically impossible—to communicate ideas, feelings, worries or opinions unless you've got them straight in your head and really know what you mean to say. All of us fail sometimes to be strong in our convictions; what's even more frustrating, but easier to correct, is to fail to be clear in our message-making. If it's in you to be said, *say* it.

Dr. Eric Berne, author of "Games People Play," put his finger on the process by which we build bridges, make contacts between us. In "What Do You Say After You Say Hello?" Dr. Berne says: "To say Hello rightly is to see the other person, to be aware of him as a phenomenon, to happen to him and to be ready for him to happen to you." Openness and genuine interaction between people is what the family process is all about. Where drugs are concerned, it's the kind of behavior that can help people find alternatives to handling problems with chemicals.

To be authentic with each other—to resist the temptations to manipulate, to deceive, to play games and tricks—is the way to build trust and understanding. Characteristically, one hears about communication in terms of what you should *say*. Instead of saying anything, why not think of communicating by *listening*—by opening up some "windows" on the world, and particularly on the people who are with you and a part of your life.

Many of us have let too much clutter, too much mental "trash," get in the way of this kind of openness. By clearing away the clutter, and seeing things and people as they really are, we can begin to get to know each other, understand why we act the way we do, and savor human relationships for the good that is in them.

SOME IDEAS FOR TODAY, AND MAYBE TOMORROW

This booklet doesn't offer "how-to" suggestions; it offers "maybes," things to try or ways to think that might be worth a chance or two on your part.

THE REACH QUIZ

The Boy Scouts of America decided that parent and child could use some help getting the communication channels open again, so they devised the Reach Quiz. Here are some excerpts:

1. When was the last time you and he had a serious discussion? What was it about?

2. Can you tell, without his telling you, when he's feeling angry? How? What about when he's feeling happy? Proud? Guilty? Sad? Afraid? How do you express those feelings?

3. If you could change his appearance in any way, what would you do? Cut his hair? Throwaway his tie-dyed jeans? Make him stand straighter? What do you think *he* would change in his appearance? What do you think he would change in yours?

4. You've worked very late for about two weeks in a row. All you can think of tonight is a good, long sleep. But he reminds you it's his Little League championship game. Or, you get a surprise bonus vacation, but it has to be taken while he's in school. What do you do? How does your family handle a legitimate conflict of interests? Do you compromise? Does the one with the most desperate need have it his way? Does the one who gets his way promise to make up for it in the future?

5. What do you think he *really* wants to do when he starts a career? Do you approve? Would you approve of anything he wanted to be? A circus roustabout? A nuclear physicist? A poet? What do you think he thinks of your career?

6. Do you think he knows what your *real* interests are? What do you think he thinks? Do you think he approves?

7. Do you think he has any special talents? What? What do you think he feels his special talents are? What do you think he feels yours are?

8. Name two things you think make him feel most angry. Happiest. Proudest. Guiltiest. Saddest. Most afraid. What do you think he thinks provokes these feelings in you?

9. Do you think he has any major shortcoming? What? What do you think he feels they are? What do you think he feels yours are?

10. Do you think he likes you? Not loves, son-to-parent style, but *likes?* Do you think he would choose you as a friend if you weren't his parent? Would you choose him?

THE DOCTOR'S QUESTIONS

She is Dr. Phyllis Harrison-Ross, pediatrician and child psychiatrist, member of the National Advisory Council for Drug Abuse Prevention. She is black, and wrote *"The Black Child: A Parents' Guide."* Chapter 39 is a series of notions (we'll make them questions) for parents. How would you handle these as a parent—how would you want them handled as a kid?

1. Does a parent discipline a child to punish or to prevent future errors?

2. Do people learn how to manage themselves through discipline?

3. Does adult behavior influence a child's decisions and impulses?

4. Is it possible for parents and children to spend 15 minutes a day talking to each other? What would you do with those 15 minutes? How about with a very small child?

5. How about a family full of children—can parents split up the time?

6. Do you know how to talk to someone to find out why he did something wrong?

7. Are there ways to expand the contacts between parent and child—make them richer?

8. Did you ever have a talk about a movie you saw with somebody else—like your child, or your parent(s)?

Have you ever talked about what rock music is all about?

9. Is television watching an individual thing in your house, or are there shows that people watch together?

10. Have you ever been on either side of a real dialogue between young and old?

11. Did drugs ever get into the lifestyle of someone in your family?

12. Parents: do you know who your kid's friends are? Kids: do you want them to?

13. Do you know the limits of your own personality? Do you know the limits of your own mortality?

14. Drugs may get you to feel good quicker than working things out with people—but is quicker and easier necessarily better?

15. What kinds of examples do you set for the people around you who look to you for guidance?

ALTERNATIVES

People misuse and abuse drugs partly because they are trying to fill up a void inside them, or inside their world. There's something they want but can't quite get, so they take drugs to satisfy the urge.

Maybe there are other ways for you and the people you care about to satisfy urges:

Physical needs (energy, no pain, relaxation)—How about new diet . . . dance . . . Oriental martial arts training . . . a family jog every evening . . . a shape-up club for the block.

Emotional outlets—Maybe classes on the values you live by . . . counseling sessions with a local clergyman, teacher, social worker . . . acting out problems by taking roles . . . one-to-one honesty about real fears, real dreams.

Relating to other people—Small group discussions and raps on things that matter . . . organized community activities . . . sex counseling . . . big brother helping little brother to get to know the neighborhood . . . temporary substitutes for real-life families.

Learning and knowing—Read a tougher book than you've ever read . . . invent games . . . be the best at the games you invent . . . get some more education.

Creating things—Sing a song . . . paint a picture on a wall . . . try writing a play . . . try playing all the parts in the play . . . pull together a neighborhood arts center.

Feeling good—Maybe fasting . . . daydreams . . . foolishness like kids used to do.

Changing things—Community service at a personal level, where it counts . . . teaching younger people what they need to know to survive and prosper . . . community organizing for power . . . tutoring.

Spiritual satisfaction—Meditation . . . yoga . . . prayer and quiet contemplation . . . songs and dances of other religions, other peoples.

"Why Not Do Drugs?"—Why not go hiking . . . see if you can paint a room . . . learn how to speak another language . . . make the toaster work . . . get the money together to buy a toaster . . . be the only one on the bar car who doesn't have just one more.

(Thanks to Dr. Allan Y. Cohen, at John F. Kennedy University and the National Clearinghouse for Drug Abuse Information for these ideas.)

MINE, YOURS, OURS

Play this game with someone you care about. Make up your own lists and play it with *lots* of people you care about. In the middle are words, terms, ideas; first fold the paper on line (b) and write your responses in the left hand column. Then fold it on (a), hide your answers and let the other person write his or her responses. Compare notes and try to figure out why you answered the way you did.

The way I know somebody loves me is . . .

I'm uptight a lot about just one thing:

The dumbest thing I ever saw you do was . . .

My definition of drug abuse is . . .

I'd trust you a lot more if you would only . . .

Which is better, to be dependent or independent?

Kids out grow foolish behavior—what do adults do?

I know when I'm being fooled and conned, by paying attention to . . .

The toughest, most together person I ever saw was . . .

A CREDO FOR PARENTS AND KIDS

Dr. Thomas Gordon, in a book called "Parent Effectiveness Training," lays down a formal credo for getting along. Sometimes rules help; it isn't always easy living up to expectations (yours or somebody else's). This is the way Dr. Gordon frames it, and maybe it makes sense for your situation.

"You and I are in a relationship that I value and want to keep. Yet each of us is a separate person with his own unique needs and the right to try to meet those needs. I will try to be genuinely accepting of your behavior when you are trying to meet your needs or when you are having problems meeting your needs.

"When you share your problems, I will try to listen acceptingly and understandingly in a way that will facilitate your finding your own solutions rather than depending upon mine. When you have a problem because my behavior is interfering with your meeting your needs, I encourage you to tell me openly and honestly how you are feeling. At those times, I will listen and then try to modify my behavior, if I can.

"However, when your behavior interferes with my meeting my own needs, thus causing me to feel unaccepting of you, I will share my problem with you and tell you as openly and honestly as I can exactly how I am feeling, trusting that you respect my needs enough to listen and then try to modify your behavior.

"At those times when either of us cannot modify his behavior to meet the needs of the other and find that we have a conflict-of-needs in our relationship, let us commit ourselves to resolve each such conflict without ever resorting to the use of either my power or yours to win at the expense of the other losing. I respect your needs, but I also respect my own.

"Consequently, let us strive always to search for solutions to our inevitable conflicts that will be acceptable to both of us. In this way, your needs will be met, but so will mine—no one will lose, both will win."

NOW, YOUR TURN

These bits and pieces about the family process, about people living with other people, have been put together for you to think about. We hope they help. Rights, wrongs, good guys, bad guys, past successes or failures don't count here. All we're after is some attention being paid to the caring and opening up that we call "family".

In your community, there are some people and resources you might like to know about if you want some more ideas. There are government officials, school people, law enforcement specialists and other community leaders who will help you work things out. These people can work with you to get things going, and if you have an urgent problem, they can help find answers. Television and radio stations are also ready to work with you. Maybe there are some things you'd like to see or hear about—now's a good time to talk to the local broadcaster about it. Write letters to the editor of the paper, too—they'll listen.

At the back of this book are some names and addresses, and the titles of a few other things worth reading. Why not explore some of them?

Philip Slater's book "The Pursuit of Loneliness" sums up, as well as anything around, what this little exercise of family thinking is all about. He says that modern America frustrates three basic human desires: to be part of a trusting community; to deal directly with problems; and to control one's own life. Perhaps, just perhaps, it is possible that by learning to cherish each other, we will find the key to unlock these dreams.

THERE'S A BRAND NEW LANGUAGE

(By James DeFrates)

Wake up, wake up, wake up
The sun is shining through
I finally made it through to you
Let me see that same soft smile
I know its been quite a while

It's a brand new language we're using
Of touch, feeling, sight and sound
A simple melody
So I say what I've got to say
I don't hold it all inside
Cause I know tomorrow I can't let it slide
That's why I've come to you
You are on my mind
I've got a whole lot to tell you
Oh but it's taking some time

Wake up, wake up, wake up
The sun is shining through
I finally made it through to you

It's a brand new language we're using
Of touch, feeling, sight and sound
A simple melody

APPENDIX—RESOURCES FOR FAMILIES AND GROUPS

See

"We Have an Addict in the House," 30-minute 16mm color/sound film examines the role of the family in preventing drug abuse. Available from: Doubleday Multimedia, 1371 Reynolds Avenue, Santa Ana, California, 92705.

Read

"You, Your Child and Drugs," book giving emphasis to rational discussion between parents and children. Available from: Child Study Association of America; 9 East 89th Street; New York, New York 10028.

"Understanding Drug Use; An Adult's Guide to Drugs and the Young" by Peter Marin and Allan Y. Cohen, outlines approaches to communication and understanding within the family. Harper & Row.

"The Black Child: A Parent's Guide" by Dr. Phyllis Harrison Ross and Barbara Wyden, a manual for parents of black children and for white parents who seek understanding.

"Drugs At My Doorstep" by Art Linkletter, story of what Art Linkletter has learned from his national crusade against drug abuse.

Do

"Valuing in the Family," a Workshop Guide for Parents, helps families work out important value orientations. Available from: Permanent Press, c/o Progressive Playthings, Inc., San Diego, California 92120.

"The Junkie Game" Available from: Haight-Ashbury Films, 701 Irving Street, San Francisco, California 94122.

NOTE FROM THE SPECIAL ACTION OFFICE:

This booklet asks a lot of you, the reader. It assumes many things about your readiness to join in the fight against drug abuse.

You have a right then to ask "what is the Federal Government doing about drug abuse?" What is the Special Action Office for Drug Abuse Prevention, and what has it done about the problem?

The Special Action Office for Drug Abuse Prevention was created by an Executive Order by President Nixon's Executive Order 11599 on June 17, 1917. Its priorities and resources were further developed by Congress in the Drug Abuse Office and Treatment Act of 1972 (Public Law 92-255). It was created to pull together existing Federal anti-drug planning and management; to identify those areas of most urgent need; and to find ways to bring new resources to the work at hand. This year on July 1, 1973, President Nixon reorganized the law enforcement effort in drug abuse prevention into one single agency—the Drug Enforcement Administration. This new agency brings an equally effective and coordinated effort to the supply side of drug abuse.

Both agencies have the primary responsibility to meet the challenge of drug abuse through a balanced and comprehensive program attacking four major facets of this problem. Internationally, we are cooperating with many other governments in a narcotics control program that aims at halting the international traffic in illicit drugs. Domestically we have developed strong new laws and tough new law enforcement efforts, backed by more money and greater manpower. We have also emphasized new and more effective treatment and rehabilitation programs for the victims of drug misuse and we are rapidly expanding these efforts so that no person seeking treatment will be turned away. Wide-scale education and training programs are now providing reliable information on drug abuse not only to those young people who may be attracted by dangerous drugs, but also to those who most directly influence young people, including their parents, religious leaders, youth workers and teachers.

The battle against drug abuse is a complex and difficult one, but there are many encouraging signs that substantial progress at last is being made. A greater proportion of drug victims are under treatment than ever before. More and better methods of treatment are becoming increasingly available. Treatment programs have been expanded all across the country—more treatment capacity was developed by Federal agencies over the past two years than in the preceding 50 years. More illegal drugs are being seized, both in this country and abroad. More nations around the world are joining with us in an effort to stop the international drug traffic. Drug abuse within the military has been reduced and controlled and a system of early identification and treatment has been created that is unique in that it quickly spots new major outbreaks and permits rapid response. New management and funding mechanisms were developed that increased overall program efficiency at the same time that they permitted Federal agencies to turn more decision-making over to the States and local governments. Research in every area has been accelerated and intensified—new pharmacological agents to treat heroin addiction have been made available to researchers and treatment programs across the country. Finally and perhaps most importantly, more and more Americans are becoming personally involved in this effort in their communities, their churches, their schools and their homes.

In the end, our greatest asset in this struggle will be the energy and spirit of the American people. One of the most important lessons we have learned in the fight against drug abuse is the immense value of the one-to-one relationship—the bond of trust between the drug victim and someone who cares enough to help that individual.

The deep personal involvement of countless individual Americans is the key to success to drug abuse prevention. Government programs can provide a means for encouraging such involvement and for providing other necessary resources, but without the concern and commitment of our people in their communities the problems of drug abuse cannot be alleviated.

There are clear limits to what governments can do about drug abuse and still preserve the essential values of a free society. It is unlikely that the problems associated with non-medical use of drugs will ever be wholly eliminated or that we will reach consensus on the most effective ways to reduce the costs of such behavior. Serious problems remain, but even as we adjust our priorities to meet the new realities, we can take pride in having made a contribution to the progress to date.

STATE DRUG ABUSE PROGRAM COORDINATORS

Alabama: Mr. John Watkins, Assistant Commissioner for Alcoholism, Drug Abuse and Criminal Justice, Alabama Department of Mental Health, 502 Washington Avenue, Montgomery, Alabama 36104; 205-269-7491.

Alaska: Ms. Mary Beth Hilburn, (Acting) State Drug Abuse Program Coordinator, De-

partment of Health and Social Services, Pouch H. Juneau, Alaska 99801; 907-586-3585.

Arizona: Mr. Ralph Daniel, M.S.W., Assistant Commissioner, Addictive Behavior Services, Arizona State Department of Health, 1624 West Adams Street, Room 202, Phoenix, Arizona 85007; 602-271-5951.

Arkansas: Mr. Miles Waldron, Coordinator, Arkansas Drug Abuse Authority State Department of Health, 4815 West Markham Street, Little Rock, Arkansas 72201; 501-661-2109.

California: Mr. Matthew O'Connor, Director, State Office of Narcotics and Drug Abuse Coordination, 926 J Street, Suite 300, Sacramento, California 95814; 916-322-2350.

Colorado: Mr. Graydon Dorsch, Director, Alcohol and Drug Abuse Division, Colorado Department of Health, 4210 East 11th Avenue, Denver, Colorado 80220; 303-388-6111 Ext. 227.

Connecticut: Mr. Walter Stewart, Executive Director, Drug Advisory Council, 90 Washington Street, Hartford, Connecticut 06115; 203-566-3403.

Delaware: Mr. William B. Merrill, Office of Drug Abuse Control, 3000 Newport Gap Pike, Washington, Delaware 19808; 302-998-0527.

District of Columbia: Mr. Joseph P. Yeldell, Director, Department of Human Resources, 1350 E Street, N.W., Washington, D.C. 20004; 202-629-5441.

Florida: Mr. Frank D. Nelson, Director, Drug Abuse Program, Department of Health and Rehabilitative Services, 1323 Winewood Boulevard Tallahassee, Florida 32301; 904-488-4306.

Georgia: Mr. William Wieland, Office of Drug Abuse, Georgia Department of Human Resources, 615 Peachtree Street, N.E., Suite 901, Atlanta, Georgia 30308; 404-656-1768.

Hawaii: Mr. Andrew Lyons, Executive Director of the Committee on Substance Abuse, Governor's Office, State Capitol, Honolulu, Hawaii 96813; 808-548-2211.

Idaho: Mr. Larry Burman, Mental Health Program Consultant, Division of Mental Health, Department of Environmental Protection and Health, State House, Boise, Idaho 83707; 208-384-3410.

Illinois: Mr. David B. Selig, Illinois Dangerous Drugs Advisory Council, Room 2002, 160 N. LaSalle, Chicago, Illinois 60601; 312-793-3840.

Indiana: Dr. Franklin Osberg, Director, Drug Abuse Division, Department of Mental Health, 3000 W. Washington Street, Indianapolis, Indiana 46222; 317-633-4477.

Iowa: Mr. Fred S. Brinkley, Director, Iowa State Drug Abuse Authority, State Capitol, 1217 East Walnut, Des Moines, Iowa 50319; 515-281-3641.

Kansas: Mr. Ron Maineri, Executive Director, Kansas Drug Abuse Commission, Second Floor, 715 Harrison Street, Topeka, Kansas 66603; 913-296-3925.

Kentucky: Ms. Doris Swain, Director, Office of Drug Abuse, Kentucky Department of Mental Health, Post Office Box 678, Frankfort, Kentucky 40601; 502-564-5493.

Louisiana: Mr. Cal Bankston, Commissioner of Mental Health, State Department of Hospitals, Post Office Box 44215, Baton Rouge, Louisiana 70804; 504-389-5792.

Maine: Mr. Richard W. Carbonneau, Executive Director, Maine Commission on Drug Abuse, 411 State Office Building, Augusta, Maine 04330; 207-289-3161.

Maryland: Mr. L. Robert Evans, Director, Drug Abuse Administration State Department of Health and Mental Hygiene, 2305 N. Charles Street, Baltimore, Maryland 22128; 301-383-3955.

Massachusetts: Dr. Matthew P. Dumont, Division of Drug Rehabilitation, Department of Mental Health, 190 Portland Street, Boston, Massachusetts 02114; 617-727-8747.

Michigan: Mr. C. Patrick Babcock, Director, Office of Drug Abuse and Alcoholism, Sixth Floor, Lewis Cass Building, Lansing, Michigan 48913; 517-373-1728.

Minnesota: Ms. Gladys Pearson, Associate, Director, Drug Abuse-State Planning Agency, 402 Metro Square Building 7th and Robert, St. Paul, Minnesota 55101; 612-296-4608.

Mississippi: Mr. David Neely Speights, Director of Drug Affairs, 3825 Ridgewood Road, University Center, Suite 182, Jackson, Mississippi 39211; 601-354-7523.

Missouri: Dr. Sadashiv Parwatikar, Acting Director, Missouri Alcoholism and Drug Abuse Programs, 5400 Arsenal Street, St. Louis, Missouri 63139; 314-644-4436.

Montana: Dr. Joseph Rothstein, Drug Coordinator, Office of the Governor, State Capitol, Helena, Montana 59601; 406-449-3417.

Nebraska: Mr. Jeffrey Kushner, Ex. Director, Nebraska Commission on Drugs, State Capitol Building, Lincoln, Nebraska 68509; 402-471-2691

Nevada: Mr. Steve A. Robinson, State of Nevada Division of Alcoholism and Drug Abuse, Capitol Complex, 1803 N. Carson Street, Carson City, Nevada 89701; 702-882-7471

New Hampshire: Mr. George Tice, Office of the Governor, Room 124, State House, Concord, New Hampshire 03301; 603-271-2754.

New Jersey: Mr. Robert B. Stites, Director, Division of Narcotics and Drug Abuse Control, Department of Health, 109 West State Street, Post Office Box 1540, Trenton, New Jersey 08608; 609-292-5760

New Mexico: Mr. Steve Morgan, Department of Hospitals and Institutions, 425 Old Santa Fe Trail, Santa Fe, New Mexico 87501; 505-827-2821

New York: Mr. Howard A. Jones, Chairman, New York State Narcotics Addiction Control Commission, Executive Park South, Albany, New York 12203; 518-457-2061

North Carolina: M. F. E. (Roy) Epps, Director, North Carolina Drug Authority, 222 North Person Street, Suite 208, Raleigh, North Carolina 27611; 919-829-4555

North Dakota: Dr. James R. Amos, State Health Officer, Department of Health, 320 Avenue B East Bismarck, North Dakota 58501; 701-224-2372

Ohio: Dr. Melvin Zwissler, Chief, Bureau of Drug Abuse, Department of Mental Health and Mental Retardation, 431 East Broad Street, Columbus, Ohio 43215; 614-469-7604

Oklahoma: Mr. Charles W. Wright, R.S.W., Coordinator of Drug Abuse Services, 408-A North Walnut Street, Department of Mental Health, Oklahoma City, Oklahoma 73105; 405-521-2151

Oregon: Dr. J. Donald Bray, Administrator, Mental Health Division of the Department of Human Resources, 2570 Center Street, N.E., Salem, Oregon 97310; 503-378-2671

Pennsylvania: Dr. Richard E. Horman, Director, Governor's Council on Drug Abuse, 2023 North 2nd Street, Harrisburg, Pennsylvania 17102; 717-787-9857

Puerto Rico: (Honorable) Rafael Santos-Del Valle, Secretary, Department of Addiction Services, P.O. Box 1276, Hato Rey, Puerto Rico 00919; 809-764-6573 Ext 501

Rhode Island: Dr. Charles C. Goodman, State Director, Department of Mental Health, Retardation and Hospitals, Aime J. Forand Building, 600 New London Avenue, Cranston, Rhode Island 02920; 401-463-7400, Ext. 201

South Carolina: Donald G. McLeese, Commissioner, Office of the Governor, Commission of Narcotics and Controlled Substances, Suite 201, The Kittrell Center, 2711 Middleburg, Drive, Columbia, South Carolina 29204; 803-758-2665.

South Dakota: Mr. Roger D. Merriman, State Coordinator, Office of the Attorney General, State Capitol, Pierre, South Dakota 57501; 605-224-3123

Tennessee: Mr. William L. Howse, III, Director, Alcohol and Drug Abuse Section, Department of Mental Health, 300 Cordell Hull Building Nashville, Tennessee 37219; 615-741-1921

Texas: Mr. Jack Baylor, Director, State Program on Drug Abuse, Post Office Box 13166, Austin, Texas 78711; 512-475-3851

Utah: Mr. Gary F. Jensen, Director, Division of Alcoholism and Drugs, 2875 South Main, Salt Lake City, Utah 84115; 801-328-5468

Vermont: Mr. William Butynski, Executive Director, Drug Rehabilitation Division Vermont State Hospital, Waterbury, Vermont 05676; 802-244-7884.

Virginia: Mr. F. John Kelly, Executive Director, Virginia Drug Abuse Control, 927 Ninth Street, Office Building, Richmond, Virginia 23219; 703-770-5324

Washington: Mr. Ralph Rideout, State Coordinator, Drug Abuse Prevention Office, 111 House Office Building, Olympia, Washington 98504; 206-753-3070

West Virginia: Mr. Ray Washington, Director, Division of Alcoholism and Drug Abuse, West Virginia Department of Mental Health, State Capital, Charleston, West Virginia 25305; 304-348-3616

Wisconsin: Mr. Larry Monson, Drug Abuse Program Coordinator, Bureau of Alcohol and Other Drug Abuse, One West Wilson Street, Madison, Wisconsin 53702; 608-266-7010

Wyoming: Mr. Cone Munsey, Ed. D., Director of Mental Health and Mental Retardation Services, State Office Building, Cheyenne, Wyoming 82001; 307-777-7219

Virgin Islands: Dr. George A. Moorehead, Executive Director, Commission on Alcoholism and Narcotics, Department of Health, 3rd Floor, Franklin Building, Charlotte Amalie, St. Thomas, Virgin Islands 00801; 774-6909 (P.O. Box 3668)

Trust Territory of the Pacific Islands: Mr. Edward E. Johnston, High Commissioner, Saipan, Mariana Islands 96950

Guam: Mr. Robert E. Kogan, Administrator, Mental Health Center, Guam Memorial Hospital, P.O. Box AX, Agana, Guam 96910

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"It's So Good, Don't Even Try It Once," edited by Smith and Gay, copyright 1972, Prentice-Hall, Inc.

"Parent Effectiveness Training," by Dr. Thomas Gordon, copyright 1970, Peter H. Wyden, Inc.

"The Reach Quiz," Boy Scouts of America.

"What Do You Say After You Say Hello?," by Dr. Eric Berne, copyright 1972, Grove Press, Inc.

"The Black Child: A Parents Guide," by Dr. Phyllis Harrison-Ross, copyright 1973, Peter H. Wyden, Inc.

"Playboy Interview: Kurt Vonnegut, Jr." Playboy Magazine, July 1973; copyright, 1973

THE 25TH ANNIVERSARY AS RECTOR

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. RONCALLO of New York. Mr. Speaker, one of my neighbors on Long Island is the Reverend John Haight, who is now marking his 25th anniversary as rector of the Grace Episcopal Church in Massapequa, N.Y. Reverend Haight has not only been a spiritual leader in my home town, but has been active in many of the civic projects of our community.

I wish to share with my colleagues the story of the good this man has done for our community and so I am having printed below an article which appeared in the Massapequa Post this week:

REV. JOHN HAIGHT OBSERVES 25 YEARS

A special service of choral evensong and a reception will be held on Sunday honoring Rev. John Malcolm Haight on his 25th anniversary as rector of Grace Episcopal Church.

The service will be held at 4 p.m. followed by the reception in the Parish House. Rt. Rev. Johnathan G. Sherman, bishop of the diocese of Long Island, will be guest preacher for the occasion.

Rev. Haight was ordained in December 1936 following his graduation from Kenyon College in Ohio and General Theological Seminary, N.Y.

His first position was curate at Trinity Church in Princeton, N.J. and from there he went to St. Bernard's College in Bernardsville, N.J. as rector where he remained for nine years, three of which were spent on leave as a chaplain in the U.S. Air Force during World War II.

Soon after leaving the service where he attained the rank of major he married Marjorie Callaghan, daughter of Supreme Court Justice Stephen H. Callahan and Mrs. Callahan.

On All Saints Day, Nov. 1, 1947, Rev. Haight began his ministry at Grace Church and under his spiritual leadership Grace Church has grown from a small country-type parish to one of the largest Episcopal churches in the diocese and the nation.

In coming to Massapequa, Father Haight returned to the area where he spent his earlier years. He had lived in Hempstead as his father was Rector of Old St. George's Church for many years and his mother was born in Brooklyn. While in the seminary he had also served at St. John's Church in Lattingtown.

The new modern Grace Episcopal Church was built and opened for services in 1960 replacing the original smaller church located across Merrick Rd. Old Grace Church is still standing and used for some church services.

In addition to ministering at Grace Church, the rector also conducted services at Grace Chapel, now St. Christopher's Church on Hicksville Rd. in No. Massapequa, a separate parish.

As for community affairs, Fr. Haight helped found the Massapequa Public Library in 1952 and served as its chairman for nine years. He was also a member of the Ethics Committee for the Town of Oyster Bay for several years.

He is now chairman of the Diocesan Ecclesiastical Court and a member of the Board of Managers of Church Charity Foundation in addition to being a member of several other Diocesan committees.

REPORT ON MIDDLE EAST OIL AND THE UNITED STATES

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ZION. Mr. Speaker, last week the President in his message to the Nation on the energy emergency said:

Unfortunately, our expectations for this winter have been sharply altered by the recent conflict in the Middle East. . . . We must, therefore, face up to a very stark fact. We are heading toward the most acute shortages of energy since World War II.

The Republican Task Force on Energy and Resources has prepared a report on "Middle East Oil and the United States" which details the flow of the Arab oil to the United States. The report looks at the international oil market and the domestic needs of the United States and attempts to determine what needs exist in this country for Arab oil. The report found that over 14 percent of the oil consumed by the United States in the first half of 1973 was from the Middle East.

The report also contains a list of recommended actions which should be considered if the United States is ever going to get out of the present energy crisis.

This report was prepared by John Nugent, the Director of the Task Force on Energy and Resources. Mr. Nugent studied at the American University of Beirut in Lebanon and has worked for government and private organizations on the Middle East and energy issues:

REPORT ON MIDDLE EAST OIL AND THE UNITED STATES—PART I

(By the House Republican Task Force on Energy and Resources, House Republican Conference, November 9, 1973)

(Members: ROGER H. ZION, Indiana, Chairman; JAMES ABDNOR, South Dakota; WILLIAM ARMSTRONG, Colorado; LAMAR BAKER, Tennessee; JOHN N. CAMP, Oklahoma; THAD COCHRAN, Mississippi; JAMES M. COLLINS; Texas; PAUL W. CRONIN, Massachusetts; BENJAMIN A. GILMAN, New York; ROBERT P. HANRAHAN, Illinois; ELWOOD HILLIS, Indiana; ROBERT C. MCEWEN, New York; CLARENCE F. MILLER, Ohio; WILMER MIZELL, North Carolina; RONALD A. SARASIN, Connecticut; FLOYD SPENCE, South Carolina; ALAN STEELMAN, Texas; STEVEN D. SYMMS, Idaho; GENE TAYLOR, Missouri; DAVID C. TREEN, Louisiana.)

MIDDLE EAST OIL AND THE UNITED STATES

The Arab oil boycott arising out of the fourth Arab-Israeli war could not have come at a worse time for the United States. Prior to the outbreak of the war and the oil embargo, the U.S. faced a situation where even with imports growing, domestic petroleum production and refining capacity were unable to keep pace with demand. Since the late 1960's, the specter of an energy crisis had been growing more real with each passing year until by mid-1973 the fact that the U.S. was experiencing energy shortages was apparent to most people.

The Arab oil producers in October 1973 unilaterally increased the price of their oil, reduced oil production and implemented oil boycotts against those countries considered to be unfriendly to the Arab side in the Middle East crisis. For the most part this boycott has been directed at the United States and one or two smaller nations, with the intent of reducing U.S. oil imports and thereby further aggravating the already present energy crisis. The primary purpose was to "obtain a more even handed policy" towards the Middle East. Although these actions were not expected to have a dramatic effect on the immediate situation in the U.S., the effects on the economy could be very damaging within a matter of months.

A great deal of controversy exists over the degree to which the U.S. depends on Arab oil. Figures often quoted indicate that the Middle East and North Africa supply from five to seven percent of the total U.S. oil consumption. Using these figures, numerous theories have been proposed to explain how the U.S. can with relatively little pain return to a situation much like that which existed up to the late 1960's, when the U.S. had little direct need for the Arab oil. Such circumstances would mean such advantages as greater freedom of action in the Middle East, net earnings of foreign exchange once again by the U S. Middle Eastern oil companies, and a general reduced dependence on a recurring trouble spot.

The fact is, however, that the U.S. must have substantially large quantities of Middle Eastern oil if it is to continue to function without economic dislocations due to major energy shortages. As of mid-1973 at least 14% of the total U.S. consumption was Middle Eastern oil or oil largely subject to Arab pressures. In fact, the trends showed a very definite pattern of increasingly larger U.S. imports of Arab oil up to the point the Arab oil producers restricted the flow. In regard to the boycott announced by many of the Persian Gulf and North African oil states it should be pointed out that it is not entirely clear at this time how the boycott will be implemented, so that determining its effects with any precision is at best a guessing game. But, enough is known about the oil market to speculate on the potential effects.

THE IMPORTANCE OF MIDDLE EASTERN OIL

To diagnose the role Middle East and North African oil plays in the major industrial economies of the world and the United States in particular, it is important to look at several interrelated factors. The first is that Western Europe and Japan are almost totally dependent on oil imports. Western Europe imports roughly 88% of its petroleum needs with more than 80% of the imports coming from the Middle East and North Africa. Japan imports virtually all of its petroleum. Over 80% comes from the Persian Gulf and the remainder from Far Eastern sources, primarily Indonesia. Neither of these areas is capable of continuing its economic pace without continued reliance on massive amounts of Arab oil, for neither area can replace its reliance on Middle Eastern oil with imports from other areas or in the near future replace oil with another energy source.

Second, the United States has become a large net importer of oil and this is not likely to change in the near future (10 years). For the past ten years, the U.S. has been importing increasingly larger portions of the oil it consumes (see table No. 1). For the period 1962–1972, U.S. oil consumption increased an average of 4.5% per year but our domestic oil production increased at only 2.9% per year. Exports for the same period increased by an average of 2.6% per year while the rate of increase in imports was 8.6% per year, over three times as great.

TABLE 1.—U.S. FOREIGN TRADE TRENDS

CRUDE OIL

[In thousand barrels per day]

Year	Exports	Imports	Net imports
1947	126	268	142
1948	110	353	244
1949	90	422	332
1950	96	488	392
1951	79	490	411
1952	74	575	501
1953	55	649	594
1954	38	658	619
1955	33	781	748
1956	79	937	848
1957	137	1,022	885
1958	11	953	942
1959	8	964	946
1960	8	1,019	1,011
1961	8	1,047	1,038
1962	5	1,126	1,121
1963	5	1,132	1,126
1964	3	1,203	1,200
1965	3	1,238	1,235
1966	5	1,225	1,219
1967	74	1,129	1,055
1968	5	1,293	1,288
1969	3	1,408	1,405
1970	14	1,323	1,310
1971		1,682	1,682
1972[1]		2,181	2,107
PETROLEUM PRODUCTS			
1947	323	170	153
1948	260	162	91
1949	236	225	19
1950	211	364	153
1951	342	353	11
1952	362	381	19
1953	348	386	38
1954	318	397	79
1955	337	466	129

PETROLEUM PRODUCTS—Continued

Year	Exports	Imports	Net imports
1956	353	504	151
1957	430	551	125
1958	263	748	488
1959	205	814	609
1960	195	803	608
1961	164	871	707
1962	164	956	792
1963	203	992	789
1964	200	1,063	863
1965	184	1,230	1,074
1966	195	1,348	1,153
1967	236	1,408	1,173
1968	227	1,553	1,326
1969	227	1,756	1,529
1970	247	2,096	1,849
1971	225	2,247	2,022
1972	219	2,504	2,285

[1] Preliminary.

Reference: International Economic Report of the President, March 1973.

The five-year picture, however, (1967–1972) differs significantly and provides a clear indication of the forces of change which have built up in the world's oil market and what can be expected in the near future. During the 1967–1972 period, the average yearly increase in U.S. oil consumption was 5.4% while production increased at only 1.8%. Exports during this period showed a 6.6% yearly decrease while imports gained by a tremendous 13.3% per year (see table No. 2).

TABLE 2.—TRENDS IN U.S. PETROLEUM PRODUCTION, CONSUMPTION, EXPORTS, AND IMPORTS

[Thousand barrels daily]

	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	Yearly change [1] (percent) 1972 over 1962	1972 over 1967
Production:													
Crude oil	7,330	7,540	7,615	7,806	8,265	8,810	8,625	9,240	9,635	9,465	9,456	+2.6	+1.5
Natural gas liquids	1,020	1,100	1,155	1,210	1,225	1,410	1,565	1,590	1,680	1,665	7,733	+5.3	+4.1
Consumption [2]	10,235	10,550	10,815	11,300	11,860	12,280	13,623	13,615	14,350	14,846	15,880	+4.5	+5.4
Exports	170	210	200	160	200	310	288	230	260	220	228	+2.5	−6.6
Imports	2,030	2,126	2,260	2,478	2,578	2,540	2,810	3,176	3,420	3,938	4,748	+8.5	+13.3

[1] Based on weight.

[2] U.S. processing gain has been deducted from total domestic product demand.

Source: British Petroleum Statistical Review of the World Oil Industry, 1972, British Petroleum Company, Ltd.

The general trend over the past ten years can be traced to a domestic energy consumption growth rate in excess of the domestic production and refining capabilities. The very rapid deterioration in the trend after 1967 is the cumulative effect of the sharply climbing energy demand in the 1960's coupled with the relative decline in domestic production. These forces have been further aggravated by governmental regulations, a decline in domestic natural gas and petroleum reserves, decreasing use of coal (for both economic and environmental reasons), environmental programs and the slow pace at which new and improved energy sources are brought on the market. The resulting inelasticity in the total U. S. energy market has forced the U.S. to go abroad to meet the demands. Until 1967 the user had a certain ability to switch within the domestic market from one fuel to another depending on economic factors. Since 1967, this flexibility has largely disappeared in both the U. S. and the international market.

Third, oil production patterns throughout the world have been changing. In the past, the U. S. bought most of its oil imports from areas in the Western Hemisphere. Since the mid-1960's these sources, such as the Caribbean, South America and Canada have been experiencing a peaking out of production rates or shifts in domestic demands which necessitate a greater internal use of their domestic production.

The fact that areas which had traditionally supplied the U. S. with most of its oil imports could no longer keep pace with the U. S. demand pushed the U. S. on to the Persian Gulf and North African market. This shift towards reliance on Arab oil was not unique to the U. S., and the end result was that the large importing nations were looking to the Persian Gulf for the major increases in supplies. This trend was reinforced by the fact that oil has become the chief contributor to incremental energy supply worldwide. The net effect of the U. S. entrance into the oil market as a large importer was to remove the last vestiges of supply elasticity.

This brings us to the fourth point, that with oil the only energy resource capable of anything near filling the gap between supply and demand worldwide, the location of reserves or future production capabilities are a very important consideration. By a quirk in the world's geological formation the major known oil reserves are heavily concentrated in one geographic area: the Persian Gulf and to a lesser extent along North Africa. At the end of 1972, the world's published proved oil reserves (oil in the ground which can reasonably be expected to be recovered under existing economic and operating conditions) was a total of 667 billion barrels (569 billion barrels if the USSR, East Europe and China are excluded).

TABLE 3.—*World oil reserves*

Area:	*Billion barrels*
Middle East:	
Abu Dhabi	27.768
Bahrain	.375
Dubayy	2.0
Iran	65.0
Iraq	[1] 29.0
Israel (excluding Sinai)	.009
Kuwait	64.9
Neutral Zone	16.0
Oman	5.0
Qatar	7.0
Saudi Arabia	138.0
Syria	[2] 7.250
Turkey	.550
Area total	355.852
Africa:	
Algeria	47.0
Angola	1.2
Congo-Brazzaville	5.0
Dahomey	0.001
Egypt (includes Sinai—approximately ½ of total. Sinai production est. 120 thousand b/d)	5.2
Gabon	1.1
Libya	30.4
Morocco	.001
Nigeria	15.0
Tunisia	1.0
Zarie	.5
Area total	106.402
Sino-Soviet:	
Russia	75.0
China	19.5
Hungary	1.0
Other	2.5
Area total	98.0
Western Hemisphere:	
United States	37.0
Canada	10.0
Argentina	4.9
Colombia	[1] 1.5
Ecuador	5.75
Mexico	[2] 2.8
Trinidad and Tobago	2.0
Venezula	13.7
Other	2.35
Area total	80.0
Asia Pacific:	
Indonesia	10.0
Australia	2.0
Malaysia	1.5
Other	1.5
Area total	15.0
Europe:	
United Kingdom	[3] 5.0
Norway	2.0
Yugoslavia	3.5
Other	[3] 1.5
Area total	12.0
World total as of end of 1972	667.0

[1] Tremendous undeveloped potential with immediate prospects.

[2] 1972 average daily production 120 thousand b/d. Reserves in 1970 were 1.2 billion barrels.

[3] North Sea.

Source: Oil and Gas Journal.

Today the Middle East alone accounts for over 53% of the world's total reserves and if North Africa is included, the figure exceeds 65%. For comparison purposes, if the Communist nations' reserves are excluded, the respective percentages are 63% and 77%. The Communist nations have almost 15% of the reserves, the Western Hemisphere 12%, the Asian Pacific 2.2% and Europe 1.8%.

When the gross figures are looked at on a country basis, they show that not only is the world dependent for most of its oil on the Middle East/North Africa area, it is actually dependent on a few countries within this area. Saudi Arabia has by far the largest

reserves, estimated at over 138 billion barrels or roughly 21% of the world's reserves, while Algeria, Iran, Iraq, Kuwait, and Libya together have an additional 236 billion barrels. By comparison Russia has 75 billion barrels, China 19 billion barrels, Indonesia 10 billion barrels, the U. S. 37 billion barrels and Canada 10 billion barrels. Six Middle Eastern and North African countries have over ½ of the known petroleum reserves. When looked at from the prospective of production, the Middle East/North African countries accounted for almost ½ of the average daily production of petroleum in the noncommunist nations (see table No. 4).

TABLE 4.—WORLDWIDE CRUDE PRODUCTION

[Daily average in thousands of barrels]

	8-month average			
	Daily production, 1972	Daily production, 1973	Change from Volume	Change from Percent
Western Hemisphere:				
Argentina	429.0	418.0	−11.0	−2.6
Bolivia	41.0	47.0	6.0	14.6
Brazil	155.0	168.0	3.0	1.8
Canada	1,483.0	1,794.0	311.0	21.0
Chile	34.0	32.0	−2.0	−5.9
Colombia	201.0	193.0	−8.0	−4.0
Ecuador	22.0	201.0	179.0	813.6
Mexico	441.0	459.0	18.0	4.1
Peru	66.0	67.0	1.0	1.5
Trinidad	140.0	165.0	25.0	17.9
United States	9,457.0	9,229.0	−228.0	−2.4
Venezuela	3,194.0	3,359.0	165.0	5.2
Total	15,673.0	16,132.0	459.0	2.9
Western Europe:				
Austria	47.0	49.0	2.0	4.3
Denmark	2.0	4.0	2.0	100.0
France	31.0	27.0	−4.0	−12.9
West Germany	139.0	131.0	−8.0	−5.8
Italy	22.0	20.0	−2.0	−9.1
Netherlands	31.0	30.0	−1.0	−3.2
Norway	35.0	35.0		
Spain	3.0	19.0	16.0	533.3
United Kingdom	2.0	2.0		
Yugoslavia	62.0	71.0	9.0	14.5
Total	374.0	388.0	14	3.7
Middle East:				
Abu Dhabi	1,001.0	1,345.0	344.0	34.4
Behrain	72.0	63.0	−4.0	−5.6
Dubai	132.0	234.0	102.0	77.3
Iran	4,862.0	5,810.0	948.0	19.5
Iraq	1,383.0	1,942.0	559.0	40.4
Israel	100.0	100.0		
Kuwait	3,234.0	3,060.0	−174.0	−5.4
Oman	282.0	288.0	6.0	2.1
Qatar	452.0	588.0	136.0	30.1
Saudi Arabia	5,731.0	7,742.0	2,011.0	35.1
Syria	117.0	120.0	3.0	2.6
Turkey	65.0	65.0		
Total	17,431.0	21,362.0	3,931.0	22.6
Asia-Pacific:				
Afghanistan				
Australia	303.0	417.0	114.0	37.6
Burma	19.0	20.0	1.0	5.3
Brunei-Malaysia	268.0	319.0	51.0	19.0
India	151.0	149.0	−2.0	−1.3
Indonesia	1,061.0	1,288.0	272.0	26.8
Japan	15.0	15.0		
Pakistan	9.0	9.0		
Taiwan	2.0	2.0		
Thailand	.2	.2		
Total	1,783.2	2,219.2	436.0	24.5
Africa:				
Algeria	1,055.0	1,106.0	51.0	4.8
Angolia	12.0	14.0	2.0	16.7
Cabinda	123.0	134.0	11.0	8.9
Congo	6.0	38.0	32.0	533.3
Egypt	216.0	209.0	−7.0	−3.2
Gabon	124.0	140.0	16.0	12.9
Libya	2,240.0	2,256.0	16.0	.7
Morocco	.3	.3		
Nigeria	1,779.0	1,977.0	198.0	11.1
Tunisia	82.0	79.0	−3.0	3.7
Total	5,637.3	5,953.3	316.0	5.6
Communist:				
China	570.0	610.0	40.0	7.0
Romania	275.0	275.0		
U.S.S.R.	7,805.0	8,273.0	468.0	6.0
Other	90.0	105.0	15.0	16.7
Total	8,740.0	9,263.0	523.0	6.0
World total	49,638.5	55,317.5	5,679.0	10.3

Source: The Oil And Gas Journal, Oct. 29, 1973.

Fifth, no energy source in use today or even projected for use in the near future is expected to substantially reduce the need for petroleum within the next ten years. The U.S. does have abundant coal resources, which in a crash program barring any major dislocations could reduce, but not free, the U.S. from a need for Middle Eastern oil. The massive use of coal, however, would have very real implications for the environment. Further, gasification and liquification programs which envision the use of coal to produce "clean" fuels are at present relatively expensive and are not expected to be in full production until later in this decade. Alaskan oil and gas reserves will probably not be ready for heavy use for several more years, and even when in full production they will not relieve the need for imports. Much talk is heard of using the renewable energy sources (solar, geothermal and fusion). However, none of these can reasonably be expected to act as substitutes to any large degree for imported oil during this decade. This will be particularly true if the U.S. energy consumption continues to grow at anything near the current rates and research and development on these energy sources continues at its present pace.

The final factor is that the U.S. oil consumption pattern for the first half of 1973 indicates a very sizable dependence on Middle East and North African oil. When the current petroleum import figures are analyzed, they show that of the average daily oil consumption in the U.S. from Jan-June 1973 of 17.3 million barrels/day (mb/d), some 14% is oil either directly imported from the Middle East area or indirectly related and subject in varying degrees to Arab foreign policy decisions in part dictated by the ongoing Arab-Israeli conflict and U.S.-Arab relations.

COMMENTS BY WILL ROGERS STILL RELEVANT TODAY

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. CARTER. Mr. Speaker, on August 15, 1935, Will Rogers and Wiley Post were killed in a plane crash at Point Barrow, Alaska. All America was saddened by the death of this great humorist. His words are extremely meaningful today and we would do well to observe the commonsense which he embodied in his comments.

I should like to emphasize particularly two paragraphs from an article which appeared in the Washington Post on November 11, 1973. They are especially apropos today. They are:

I don't care how little your country is, you got a right to run it like you want. When the big nations quit meddling, then the world will have peace.

Now if there is one thing that we do worse than any other nation, it is try and manage somebody else's affairs.

I include the article from the Post:

WILL ROGERS: HIS COMMENTS STILL RELEVANT

(By Jerry R. Wilson)

Will Rogers was a special sort of man. He could chew gum and twirl a rope simultaneously better than any man before or since. He was an expert horseman and in the years between World Wars I and II he was America's number one ambassador of goodwill.

Above all, the legend of the cowboy humorist centers around his political commentaries and his views on life and the times in which he lived—views which even today stand the test of time. In fact, to read what Will Rogers told the world a half century ago seems uncannily appropriate for the events of the 1970s.

On Aug. 15, 1935, Will Rogers and another famous Oklahoman, aviator Wiley Post, were killed in a plane crash at Point Barrow, Alaska. Will was 55, and the world mourned his passing as it has mourned few men.

In a time he undoubtedly would have found fascinating, it seems appropriate to see how his comments of four and five decades ago shed light on circumstances he might have understood better than any of us. There are many examples:

CAMPAIGN CORRUPTION

"The Democrats are having a lot of fun exposing the Republican campaign corruptions, but they would have a lot more fun if they knew where they could lay their hands on some of it themselves for next November" (1920s).

DEMOCRATIC PARTY SPLITS

"If the Democrats never split in their lives there would be no such thing as a Republican" (Aug. 1, 1925).

"It takes nerve to be a Democrat, but it takes money to be a Republican" (Feb. 10, 1929).

CAMPAIGN CONTRIBUTIONS

"You can't make the Republican Party pure by more contributions because contributions are what got it where it is today" (1920s).

THE PRESIDENCY

"I have always maintained that no President can be as bad as the men that advise him" (January, 1933).

COVER-UPS

"You can't believe a thing you read in regard to an official's statements. The minute anything happens connected with official life, it's just like a cold night—everybody is trying to cover up" (Oct. 4, 1925).

PUBLIC OPINION OF POLITICIANS

"People's minds are changed through observation and not through argument" (March 16, 1932).

"The American people are generous and will forgive almost any weakness with the exception of stupidity" (Feb. 24, 1934).

PRESIDENTIAL POPULARITY

"There is no country in the world where a person changes from a hero to a goat and a goat to a hero, or vice versa, as they do with us . . . It's not our public men you can't put your finger on, it's our public. We are the only fleas weighing over 100 pounds. We don't know what we want, but we are ready to bite somebody to get it" (June 19, 1935).

POLITICAL SCANDALS

"We've been staggering along now about 155 years under every conceivable horse thief that could get into office and yet here we are, still going strong. I doubt if Barnum's circus has housed as many different kinds of species as has been in our government employ during its existence. As bad as they are they can't spoil it and as good as they are they can't help it. So as bad as we are, we are better off than any other nation. So what's the use to worry?" (Nov. 16, 1930).

THE PUBLIC'S ELECTIVE POWER

"Every time we have an election, we get in worse men and the country keeps right on going. Times have proven only one thing and that is you can't ruin this country even with politics" (Nov. 4, 1928).

"Things in our country run in spite of government. Not by aid of it" (1930s).

"On account of us being a democracy and run by the people, we are the only nation in the world that has to keep a government four years, no matter what it does" (1930s).

"It's just got so that 90 per cent of the people in this country don't give a damn. Politics ain't worrying this country one-tenth as much as parking space" (1920s).

"We shouldn't elect a President; we should elect a magician" (1930s).

CONGRESSIONAL INVESTIGATIONS

"Everybody wants to hear accusations and nobody wants to hear denials" (April 6, 1924, speaking of a Senate investigation).

"The American people would trade 10 investigations for one conviction" (June 6, 1924).

THE AMERICAN IMAGE

"It will take America 15 years steady taking care of our own business and letting everybody else's alone to get us back to where everybody speaks to us again" (1926).

"You often hear it said we need diplomats. We don't need diplomats, we need a keeper or a warden" (1930s).

". . . Our slogan will be now: Have your civil wars wherever and as far away as you want, but on the opening day we will be there" (1920s).

"It takes quite a sense of humor for these people to understand us shaking hands with one hand and shooting with the other."

"I don't care how little your country is, you got a right to run it like you want. When the big nations quit meddling, then the world will have peace."

"Now if there is one thing that we do worse than any other nation, it is try and manage somebody else's affairs" (1920s).

WOMEN'S LIBERATION

"If women must insist on having men's privileges, they have to take men's chances" (Nov. 1, 1925).

"I'll bet you the time ain't far off when a woman won't know any more than a man" (1925).

COST OF GOVERNMENT

"Lord, the money we do spend on government, and it's not one bit better than the government we got for one-third the money 20 years ago" (1920s).

Only a little more than two years before his death, Will Rogers capsulized his thoughts about his country, and on people: ". . . In all it's a great country. It's the best and the worst one I ever lived in . . . When I die, my epitaph or whatever you call those signs on gravestones, is going to read: 'I joked about every prominent man of my time, but I never met a man I didn't like.' I am so proud of that I can hardly wait to die so it can be carved. And when you come to my grave you will find me sitting there, proudly reading it."

WATERGATE: A SLIGHTLY SATIRICAL VIEW

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Ms. ABZUG. Mr. Speaker, one of the liveliest and best social commentaries appearing in the legal profession today is the Reporter, monthly publication of the Passaic County Bar Association, Paterson, N.J. Under the editorship of attorney Daniel Crystal, it combines a dedication to constitutional rights with excellent reportage on national issues.

In the September and October 1973 issues, Mr. Crystal has discussed the implications of Watergate for the legal profession and our Nation as a whole. He has also written some parodies that highlight the absurdities of Watergate along with its dangers to our traditional freedoms. I commend Mr. Crystal for the excellent legal and literary standards of the Reporter and insert an article by Clyde Burns from this fine publication:

THE GANG THAT COULDN'T SPY STRAIGHT

(By Clyde Burns)

The Watergate hearings, even more than the Pentagon Papers trial, prove once again that neither Broadway nor Hollywood can possibly match a real trial or legal confrontation for dramatic intensity.

Not since those long-ago days when that redoubtable Boston attorney Joseph Welch, took on a political bully named Joseph McCarthy and deftly cut him down to size has the nation watched a show matching the excitement of the Watergate hearings.

The shock (and guilty delight) of Watergate is that it far surpasses our wildest fantasies. Only a paranoid, or one who had pondered on what had happened in other countries, where one-man rule took over, could have possibly dreamed up the elaborate cast of those who have been swept up in the Watergate scandal—two former Cabinet officers indicted, possible indictments hanging over the President's chief of staff and chief aide for domestic affairs, the acting Director of the FBI disclosed to have destroyed crucial evidence, involvement in various degrees of the President's White House counsel, his personal counsel, and other close associates; top leaders of the CIA revealed to have agreed to CIA help for a burglary within the United States, the Chairman of the SEC resigning in the wake of the Vesco scandal—the list is endless and new names keep being added.

Our January 1971 issue had an article called Gilbert and Sullivan, We Need You Today in which we chuckled about the goings-on in Washington, D.C. when J. Edgar Hoover told a Congressional committee that some priests and nuns had plotted to kidnap Henry Kissinger. There was, of course, nothing funny about the subsequent trial of the Berrigans and others. But what are we now to make of the accusation by a top FBI official that the late J. Edgar Hoover had been mentally incompetent before his death, and, further, that he maintained himself in autocratic power by the gentle art of blackmailing high government officials? And what are we to make of charges that conspiracies to commit burglary, political espionage, slander, libel, sabotage of political campaigns, perjury, and other blatant violations of law were worked out at high levels in both the White House and the Department of Justice?

We find nothing comic about the threat to constitutional freedom and the very fabric of American democracy in what has been generically termed the Watergate scandal. Our sense of humor is not tickled by the one man cult which President Richard Nixon lamely used to justify the supposed excess of zeal in those of his aides who burglarized and bugged the Watergate. We don't want this country to come to the point where some Martian can say seriously, "Take me to your Leader."

We find it deeply disturbing to be as close as we were to a frightening extension of one-man rule. We haven't forgotten that only a few short months ago, then Attorney General Kleindienst was up on Capitol Hill, arrogantly telling a Congressional Committee that executive privilege was being extended to every single government employee, and if Congress didn't like it, Congress could sue the President in the Supreme Court or impeach him.

At the same time, we freely recognize that there are comic aspects to Watergate that make the scandal a strange hodge-podge of high intrigue and low comedy. It is as if the Marx Brothers had somewhere been written into the somber lines of Shakespeare's Richard the Third, Julius Caesar, or Macbeth.

There is, for example, E. Howard Hunt, wearing a red wig loaned to him by the CIA. His posturing in that red wig cries out for a Harpo Marx to recreate the role. So far, Watergate hasn't produced anything so angelic as a harp for any of its cast to play, but since just about everything else has turned up in this fantastic script, our comment is what people in Washington, D.C. say about the weather: If you don't like it just now, wait a minute.

Watergate in some aspects is so farcical that the Paterson News on April 30 carried a story by Jack Anderson with the intriguing title, Watergate Follies, Set to Music, Seen as Possible Comic Opera.

Consider, for example, how the Watergate burglary was uncovered. These CIA-trained burglars were so impudent and arrogant (presumably having seen too many re-runs of Mission Impossible) that they taped up a door which a night watchman had relocked.

The whole history of the country appears to have taken a decisive turn because this alert night watchman, discovering the further tampering with the door, simply called the police who came in with pistols at the ready, and caught the burglar-buggers red-handed. We don't know if CIA-trained operatives take a test for proficiency in burglarizing, but we're inclined to think that Hunt, Liddy, et al. would have flunked such a course.

The arrest of the Watergate burglars, and the eventual unfolding of the whole lurid tale of bugging, skullduggery in high places, and office safes crammed full with hundreds of thousands of dollars in new hundred dollar bills received from such friendly folk as financier Vesco, has distant echoes of one of Shakespeare's tragicomedies, Much Ado About Nothing.

But there are other rib-tickling aspects of Watergate that go hand in hand with its grim seriousness for the future of our country.

SPY IN A CLOSET

Jack Anderson informs us that whodunit writer, E. Howard Hunt, one of the major Watergate conspirators, was assigned to reconnoiter the Watergate layout. He tried to enter through a dining room, but couldn't get a connecting door open without alarming a guard.

So the ex-CIA agent remained locked in the dining room all night sleeping in a closet. He finally escaped at 7 a.m. after the office building was opened and began to fill with people. It's clear that, whatever his rating with the CIA, he passed his initiation test for the Gang that Couldn't Shoot Straight.

SHOWING OFF FOR GIRLS

We've all heard the line "Cherchez la femme". (Freely translated that means, go look for a woman if you want to find what the men are up to.) It's laugh-provoking, if incredible, that girl-watching played its part in Wategate too. G. Gordon Liddy, the Watergate ringleader, tried to impress a couple of girls in Detroit by holding his hand over a flaming candle. He burned his hand so badly in this demonstration of machismo, and little-boy-showing-off-for-girls, that it almost spoiled the elaborate Watergate presentation that he made before Attorney General John Mitchell, White House counsel John Dean and campaign head Jeb Stuart Magruder in Mitchell's office on February 4, 1972. (Our source is the Jack Anderson column in the News of April 30).

Liddy brought along huge, fancy charts to illustrate the bugging operation and precisely how he was going to perform this bit of extra-legal breaking and entering. Because he couldn't carry the cumbersome charts in his injured right hand, he juggled them awkwardly in his left. This trouble with the charts, Jack Anderson reports, detracted from his otherwise slick, Madison Avenue-style presentation of the Watergate crime there in the very citadel of law and order.

WHAT'S YOUR LINE, MR. SPY?

The Watergate Follies of 1972 had its three stooges, Liddy, Hunt, and McCord. It is clear from the testimony released thus far that these three unlikely rejects for Marx Brothers re-makes that they took elaborate precautions to conceal the nefarious activities for which they were, in classic bureaucratic fashion, turning in vouchers and expense accounts. Hunt's patrician face peered out from the preposterous red wig so kindly loaned to him by the CIA. All three used assumed names, carried false identifications, communicated stealthily by pay phones, and exchanged cryptic messages. It was all out of the approved CIA manual for aspiring spies.

How elaborately they carried out all this Hallowe'en mish mash of spying and disguises is revealed by G. Gordon Liddy's successful use of a semi-pseudonym, "George", the kicker in the tale being that George was the real first name he never used. One day, another Watergate conspirator, Bernard Barker, called Liddy's White House office and asked for "George." Puzzled, Liddy's secretary said there was a phone call for "George." "Just who is George?" demanded George Gordon Liddy.

The last time we heard anything resembling that line it was, "Spiro who?"

The whole zany series of escapades resulting in the arrest of this gang that couldn't spy straight reminds one of a hoary old chestnut, which we've dusted off and put into modern dress.

Berman, an American Spy, was ordered by the Central Intelligence Agency, to cross over into the Soviet Union and contact another CIA spy named Shapiro. The password with which they would identify each other was, "The sun is shining."

Under the cover of night, a U.S. Air Force plane dropped Berman by parachute into the woods on the outskirts of Moscow. Our hero buried the parachute as the CIA had instructed him to do, and then skulked into the city, keeping to the shadows and moving stealthily as befits a high class CIA espionage agent carefully trained by the likes of Hunt, Liddy, and McCord.

He had carefully memorized Shapiro's address, but when he reached the appointed place he found to his chagrin that it was a four-story apartment building. A resourceful person, Berman consulted the letterbox in the hallway, where he found not one but two Shapiros listed. True to his CIA training, he tried ringing the doorbell of the first one.

When the occupant opened the door, Berman asked in his best Moscow accent, "Are you Shapiro?"

"Yes, I am," said the man.

"All right, the sun is shining," said the American agent portentiously, giving the password.

"Oh, no!" said the other. I'm Shapiro the butcher. You want Shapiro the spy—he's on the third floor!"

BUGGING ON CREDIT

There's a possible civil law suit kicking around for some attorney who wants to make legal history. Add to things they never taught us in law school the muddled state of affairs as to who pays the supplier of the electronic equipment used in the Watergate bugging. Even though President Nixon's fund raisers apparently stashed millions of dollars in campaign boodle all over the country, the Committee to Re-elect the President still owes $13,600 to Michael Stevens, whose Chicago company supplied the Watergate buggers with sophisticated electronic devices. Some of the equipment was actually in use at Watergate, but six custom-made, high frequency transmitters and receivers, four of them suitable for bugging rooms, the other two for intercepting phone conversations were ordered but never picked up from Mr. Stevens.

One of the conspirators, James McCord, did surreptitiously come for some of the equipment at 3 A.M. one morning, (or was it night?).

Through his attorneys, McCord acknowledged the purchases and said he paid $5,400 in cash, leaving the balance due. Devan Shumway, spokesman for the President's Committee, told Jack Anderson "it would be inappropriate to pay any such bill for equipment allegedly used for illegal purposes."

Our personal memo to those studying for the bar exam is to bone up on the issues of law concealed in that question. It's a natural for the next exam.

THE JOKES THEY TELL IN WASHINGTON, TRALA:

If Watergate didn't have its own funny moments, the wags in the nation's capital are working overtime dreaming up Watergate jokes. Since this is a family magazine, we'll pass up the more lurid and unprintable ones. But here's a representative sampling of what the Washington wits are dining out on now.

One clown on the Washington cocktail circuit has it that Mr. Nixon's troubles can be traced to the fact that he hired all those Germans on his staff. What he should have done instead was to hire Japanese—for these three good reasons:

The Japanese are better at electronics.

When the Japanese make a mistake, they admit it.

After they admit it, they commit harakari.

Another jokester (obviously a Democrat) says that the Republicans should alter their campaign chant: Four more years—or maybe 10 to 20.

Our own Washington spy has sent a carrier pigeon to us with a message in secret ink (milk); (we remember some spy techniques from our own boyhood days) telling us that the Democrats are buying up and wearing the campaign buttons the Republicans distributed in 1968. The buttons carry the words: "Nixon's the One."

The same confidential source advises us that there are other buttons that are being worn these days in the District of Columbia:

"Don't blame me—I voted for McGovern."

"Free the Watergate 500."

A Washington cab driver tells his fares this story: He was driving by the White House some hours before President Nixon gave his TV and radio speech to the nation giving his version of Watergate. He saw a man running around frantically on the White House lawn, shouting, "Where's my dog? Checkers, where are you? Come here, Checkers. Good old dog, come here, Checkers."

It is solemnly reported in Washington that Connally has signed on as a cabin boy on the S.S. Titanic.

Mark Russell, a professional political comedian in Washington, welcomes his audiences at the Shoreham Hotel by saying: "You tourists should be careful when you visit the White House. So much has been swept under the rug that you might hit your head on the ceiling."

So there's a lot of comic relief to Watergate, mixed in with the sheer living drama of the whole incredible tale of how the nation woke up at the eleventh hour to find that a cesspool of political sabotage and corruption has been concealed behind the austere facade of the present Administration. The genius of a Shakespeare is needed to give the proper intensity to the dark shadings of this bewildering, complex plot that is being explored by Senator Sam Ervin and his select committee.

And what keeps the nation glued to its seats is the tension of waiting to find if the President himself will be proved to have been implicated in either the Watergate bugging and subsequent cover-up, the sabotage of the campaigns of the Democratic candidates, or the hot money that came repeatedly into the campaign from Vesco, and other sources. So far there has been only hearsay and circumstantial evidence—enough perhaps for the court of public opinion, but most certainly not enough yet to overcome the presumption that a man is innocent until proven guilty.

It's worth noting, however, that in addition to the President's direct appearance in the startling offer of the FBI directorship to Judge Matt Byrne in the middle of the Pentagon Papers trial, there is one other bit of hard fact linking the President directly to some of this Watergate business—at least, in establishing a modus operandi.

In 1962, Richard M. Nixon ran against Pat Brown in the gubernatorial campaign in California. The Republicans surreptitiously

sent out a phony post card mailing (to the tune of $70,000) ostensibly coming from Democrats and calling Brown an extremist. After the election, the Democrats filed suit against the fictitious Committee for the Preservation of the Democratic Party in California. In an unreported judgment given in open court, October 30, 1964, Judge Byron Arnold of the Superior Court of California (San Francisco), sitting without jury, made a finding of fact that the postcard "was reviewed, amended, and finally approved by Mr. Nixon personally in the form" in which it was finally sent out, and that, further:

"Nowhere in Exhibit A (the fictitious postcard) or letters mailed by defendant Committee was it stated that the defendant Committee and its mailing of Exhibit A were supported and financed by the Nixon for Governor Finance Committee. Mr. Nixon and Mr. Haldeman approved the plan and project as described above, and agreed that the Nixon campaign committee would finance the project."

The judgment was inserted into the Congressional Record on May 7, 1973 by Senator Haskell. It's printed at pp. 14490 to 14496. We find nothing funny whatsoever about the judgment.

But, seriously as we take Watergate and what it has revealed, this has by no means throttled our ability to laugh. Some one once said that history tends to repeat itself; the first time as tragedy, the second time as farce. Much of Watergate proves the wisdom of that perceptive remark.

THE AFL-CIO'S IMPEACHMENT DRIVE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. MICHEL. Mr. Speaker, last week on the floor of the House, I addressed myself to the question of the President's resignation or possible impeachment and made the point that to suggest his resignation was ridiculous and unwarranted.

On the question of impeachment, those of us who have the privilege to serve in this House must take great pains not to be influenced or caught up in an emotional, orchestrated drive for impeachment by certain groups and individuals in our society who would stop at nothing in their desire to remove this President from office.

In that regard, I should like to call to the attention of my colleagues a column by Mr. Richard Wilson appearing in yesterday's edition of the Washington Star-News, entitled "The AFL-CIO's Impeachment Drive":

THE AFL-CIO'S IMPEACHMENT DRIVE

(By Richard Wilson)

Having already broken with President Nixon, the AFL-CIO leadership has concluded it has nothing to lose by lobbying for his impeachment. Before it is all over this may prove to be a tactical error of serious proportions because it makes impeachment into a partisan issue.

Labor leadership generally does not come into the court of public opinion with the cleanest hands on the matter of malfeasance in office. Hundreds of labor leaders have been convicted of racketeering and misuse of funds on a large scale. George Meany's reluctance in responding to the problem dates back 20 years to his original coolness toward the McClellan labor racketeering inquiries which ballooned into a national sensation.

Meany ultimately went along, dragging his feet all the way, but now he is overcome by righteous indignation with a President whose reluctance to clean house was not much greater than Meany's own reaction to corruption in the ranks of labor.

Meany has now marched in where the Democratic leadership is hesitant to tread. The qualified Democratic leaders have been careful not to prejudge the issue of impeachment for the reason that they do not wish it to be perceived as a partisan issue.

Not Meany. He is about to deluge Congress and the nation in a typical labor pressure campaign to roust the President from office.

It is useless to point out that this is scarcely the function of organized labor, which long ago became the most important action agency of Democratic partisanship. Meany lost no time after sitting out the presidential election in showing his disrespect for Nixon. Now his ever-present lobbyists will be roaming the halls of Congress scrounging votes for the impeachment and conviction of a President who thwarts the AFL-CIO's political and economic objectives.

Meany is not the first seeker of justice to veer off the tracks. The civil rights movement began to founder after Martin Luther King insisted on linking it with opposition to the Vietnam war. The late Mine Worker chieftain, John L. Lewis, fell on his face trying to bring down Franklin D. Roosevelt.

It is hard to imagine what could reactivate Nixon's shaky residual support more effectively than the prospect of labor's top leadership hounding him out of office. The traditional opponents of labor's power-grab would reawaken to where their interests lie, and their scruples over Nixon's behavior would be correspondingly numbed.

Making impeachment into a political issue, with liberal and left-wing Democratic interests on one side and traditional Republican and Democratic interests on the other, is the kind of power play people are sick of. But that is what it will come down to if the AFL-CIO leaders persist in trying to settle the matter as if it were a presidential recall election.

The case against Nixon has been wholly prejudged by the AFL-CIO leaders They have issued their own 19-point bill of impeachment before Nixon's case has been heard in full. They want him up to the wall for execution forthwith.

Meany's power play has some other pitfalls. While it may be that he can get away with lobbying for a vote of impeachment in the House of Representatives, doing the same in the Senate to get a conviction could easily bring him into contempt of the Senate's juridical function.

REPORT ON MIDDLE EAST OIL AND THE UNITED STATES

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. SPENCE. Mr. Speaker, last week the President in his message to the Nation on the energy emergency said:

Unfortunately, our expections for this winter have been sharply altered by the recent conflict in the Middle East. . . . We must, therefore, face up to a very stark fact. We are heading toward the most acute shortages of energy since World War II.

The Republican Task Force on Energy and Resources has prepared a report on "Middle East Oil and the United States" which details the flow of the Arab oil to the United States. The report looks at the international oil market and the domestic needs of the United States and attempts to determine what needs exist in this country for Arab oil. The report found that over 14 percent of the oil consumed by the United States in the first half of 1973 was from the Middle East.

The report also contains a list of recommended actions which should be considered if the United States is ever going to get out of the present energy crisis.

This report was prepared by John Nugent, the Director of the Task Force on Energy and Resources. Mr. Nugent studied at the American University of Beirut in Lebanon and has worked for Government and private organizations on the Middle East and energy issues:

REPORT ON MIDDLE EAST OIL AND THE UNITED STATES—PART II

(By the House Republican Task Force on Energy and Resources, House Republican Conference, November 9, 1973)

(Members: ROGER H. ZION, Indiana, Chairman; JAMES ABNOR, South Dakota; WILLIAM ARMSTRONG, Colorado; LAMAR BAKER, Tennessee; JOHN N. CAMP, Oklahoma; THAD COCHRAN, Mississippi; JAMES M. COLLINS, Texas; PAUL W. CRONIN, Massachusetts; BENJAMIN A. GILMAN, New York; ROBERT P. HANRAHAN, Illinois; ELWOOD HILLIS, Indiana; ROBERT C. MCEWEN, New York; CLARENCE E. MILLER, Ohio; WILMER MIZELL, North Carolina; RONALD A. SARASIN, Connecticut; FLOYD SPENCE, South Carolina; ALAN STEELMAN, Texas; STEVEN D. SYMMS, Idaho; GENE TAYLOR, Missouri; DAVID C. TREEN, Louisiana.)

A BOYCOTT IN A SELLER'S MARKET

Before discussing U.S. imports a look at today's international oil market will show that several basic changes have taken place which are likely to make this current boycott different from past Middle East oil crises (starting with Mossadeq in Iran in the early 1950's, through Suez in 1956 to the 1967 war). Since 1970 the oil market has very definitely been a seller's market. Shortly before this period, the demand curves for oil of the major industrial nations experienced sharp increases in part due to restrictions on other fuel sources and a rapid growth in energy consumption caused by expansion of the economies. The result was a growth in the worldwide demand for oil imports. When, in the late 1960's the U.S. became a large net importer of oil, thereby rapidly increasing the demand for oil on the world market, the result was an imbalance in the supply and demand equation. During the 1960's areas outside the Persian Gulf began to experience a peaking out of production. In addition to shifting the emphasis to the Persian Gulf producers, this peaking out came at a time when the market was experiencing this increasing demand. Finally, as the buyer's market shifted to a seller's market, prices began to rise and the producers in the Persian Gulf began to experience problems with a surplus of foreign capital which was susceptible to devaluations and inflation. Therefore, unlike the nationalization attempts, embargos, slow downs and dislocations of the past where the buyer was able to circumvent the effects, today's market no longer has the required flexibility.

Related to this switch from a buyer's to a seller's market are several factors which

are shaping the form of the current Arab oil states' actions. Although the Arab oil producing nations have a need for a continuous inflow of capital to build and diversify their economies as well as pay for the day-to-day operations, they have found that large capital inflows which can not be immediately digested are not always desirable or profitable. This economic consideration exerts a certain pressure to reduce oil output as the price rises, especially when the internal demand for capital is relatively small and investment opportunities abroad are limited. The Arab states are also concerned that production rates dictated by the importer's demand for oil would soon exhaust their reserves. Several Arab states prior to this conflict curtailed production rates for conservationist reasons.

On the political side, reductions and embargos are visible signs that the producer nations are taking an active part in the struggle while making known to the rest of the world the seriousness with which they view the situation. The producer states realize that any action they take will affect Western Europe and Japan first, areas which the Arabs consider to be at least neutral in the Arab-Israeli conflict. The statement issued by the Organization of Arab Petroleum Exporting Countries (OAPEC) in Kuwait on October 17, 1973 said:

"The conferees are aware that this reduction should not harm friendly states who assisted or will assist the Arab states actively and materially. Such countries would receive their share (of Arab oil) as they did before the reduction. This exceptional treatment will be extended also to any other countries which might take active steps against Israel in a way to force Israel to end its occupation."

However, weighted against this is a producer state realization that pressure may induce them to provide diplomatic aid to the Arab cause or stay neutral and that it will be very difficult to bring pressure directly to bear on the U.S. without putting pressure on the oil market as a whole. Again, the statement issued from Kuwait stated:

"Unless the world community corrects the situation by forcing Israel to withdraw from our occupied territories and by making the U.S. realize the high price, European industrialized countries will pay as a result of the unlimited American support for Israel."

The declaration of a boycott against the U.S. by the Arab oil producing nations does not necessarily mean that they will be able to stop completely Arab oil from reaching the U.S. The oil market is very complicated, with oil occasionally passing through many hands, even if sometimes only on paper, before it reaches its final destination. Saudi Arabia for instance is currently producing roughly 8.5 mb/d of which the U.S. imports directly only 349,000 b/d. The American Arabian Oil Company (Aramco-Saudi Arabia, 25%; Standard Oil of California, 22.5%; Exxon, 22.5%; Texaco, 22.5%; and Mobile Oil, 7.5%) is the major producer operating in the country at the present time and handles over 90% of the Saudi Arabian oil production. Recent shipments to various parts of the world by Aramco break down as follows:

	Percent
Europe	56.5
Asia (Japan 1.2 mb/d)	29.1
South America	6.0
North America (U.S. 349,000 b/d)	4.5
Africa	3.2
Australia	0.7

Thus what Saudi Arabia must do is either halt all Aramco shipments or require the shipper to designate for whom the product is intended. The first policy would obviously hit at Japan and Western Europe much harder than the U.S. The second policy, although it almost certainly would significently reduce the supplies reaching the U.S., would probably not completely cut off the flow and would be difficult if not impossible for Saudi Arabia to monitor.

This pattern exists to one degree or another throughout the oil producing areas of the world. It is further compounded by the fact that the registry of an oil tanker does not necessarily indicate where the product is going. Thus, unless the Arab oil producers are willing to follow each tanker and take action against those carrying oil to the U.S., the embargo will be somewhat ineffective. However, the Arabs by making a distinction between friends who can buy their oil and those who can not, no matter how symbolic this action may be, are hoping that it will put pressure on the Western Europeans and the Japanese to help enforce the boycott.

THE U.S. NEED FOR MIDDLE EASTERN OIL

What is the actual need in the U.S. for oil from the Middle East and North Africa? First, is should be recalled that there are no energy sources available today to replace oil on a large scale and this is likely to remain so for the next several years. Second, oil is in short supply on the market and sizable amounts are not available to replace supplies coming in as imports and particularly those from the Arab areas. Third, demand is increasing and can be expected to push supply rather than the opposite. Therefore, at least for the present, the U.S. will be hard-pressed to change the trend toward a growing need for Middle Eastern oil although it may be slowed somewhat. Further, any actions taken to embargo oil shipments to the U.S. are likely to produce serious shortages in the U.S. although it may take several weeks before they become readily apparent. As the following analysis of U.S. oil imports will show, a boycott strenuously enforced by the Arab states could mean that within a matter of months the U.S. economy would be faced with oil shortages amounting to 14% or more. Reductions on this order would mean serious dislocation and possibly economic recession.

Oil import figures for the first six months of 1973 show that the U.S. imported 34.7% of the oil it consumed. To determine the Middle East portion, this oil must be analyzed from two angles. The first is the imports coming directly from the Persian Gulf and North African nations to the U.S. The second category is much harder to define in terms of barrels per day. This category includes oil that is sold by one country (not an Arab nation) as an export to the U.S. while that country is importing Middle Eastern oil to meet some of its needs. This is done primarily for economic reasons. Another type of resale occurs when a country imports Middle Eastern crude and exports refined products. Between the two types, the direct imports and the second country sales, or reexports, at least 14% of the current U.S. consumption is Middle Eastern and North African oil.

In the first six months of 1973 the U.S. imported 6.0 mb/d of oil while in 1972 oil consumption was 16.2 mb/d. This represents over a 30% increase in imports in one year.

DIRECT IMPORTS OF MIDDLE EASTERN OIL

In the January to June 1973 period the U.S. imported 3,043,000 b/d of crude oil and the remainder in refined products. The figures for refined products on a break down by source are available only for the first quarter of 1973 when imports of refined were running 3,425,000 b/d. The first quarter figures have been used although the use of these figures does not affect the total picture materially.

A geographical breakdown of U.S. crude oil imports in 1973 looks like this:

Source	Average daily imports (barrels per day)	Percent of 1973 crude imports
Canada	1,056,000	34.7
Africa	785,000	25.8
Middle East	630,000	20.7
Latin America	386,000	12.7
Far East	186,000	6.1
Total	3,043,000	100.0

Over 90% of the U.S. crude imports came from only eight countries. Four of the eight are in the Middle East/North African area and three of the four have announced embargos against the U.S. The fourth country is Iran which has traditionally stayed on the sidelines during Arab-Israeli conflicts although it has quickly implemented new price levels and participation agreements which have arisen out of the Arab producer states confrontations with the oil companies. The eight countries which supply 90% of U.S. crude imports are:

Country and average daily imports

	Barrels per day
Canada	1,056,000
Nigeria	422,000
Saudi Arabia	349,000
Venezuela	272,000
Indonesia	185,000
Iran	161,000
Algeria	154,000
Libya	143,000
Total	2,742,000
Total crude imports	3,043,000

In addition to the three countries mentioned above, several other Arab nations provide the U.S. with sizable crude imports. The two biggest are the United Arab Emirates (which include Abu Dhabi and Dubai) and Kuwait both of which have already announced boycotts. Bahrain, although not an exporter to the U.S., has asked the U.S. Naval force based on that island to leave. This means that unless the U.S. can find a base somewhere else in the Persian Gulf, it will have to give up its permanent presence there or operate from bases outside the area. The fact that Bahrain has asked the U.S. to withdraw this force may be an indication of severity of Persian Gulf reactions to U.S. arms shipments to Israel. King Faisal of Saudi Arabia has until now been a strong supporter of the U.S. and had approved of the U.S. keeping this force in the Persian Gulf following the British withdrawal in 1971. Further, King Faisal, as the major U.S. client among the Arab oil producing states and one who until several weeks ago had indicated a strong desire to maintain the close relationship, has apparently been a leader in escalating the degree to which the Arabs will embargo oil shipments to the U.S.

Total crude imports directly from the Middle East and North Africa (excluding Iran and Israel) alone account for 4.6% of the U.S. oil consumption (See table #5 for total crude imports by country). The crude imports from the Middle East and North Africa are:

Country and average daily imports

	Barrels per day
Saudi Arabia	349,000
Iran	161,000
Algeria	154,000
Libya	143,000
United Arab Emirates	71,000
Kuwait	45,000
Tunisia	19,000
Egypt	16,000
Israel	2,000

Country and average daily imports

	Barrels per day
Iraq	2,000
Qatar	1,000
Total	963,000

TABLE 5.—IMPORTS OF FOREIGN CRUDE OIL [1]

[Thousands of barrels]

P.A.D. district and country of origin	January–June (inclusive) 1973	1972
All districts:		
Algeria	27,830	9,967
Angola	5,796	867
Australia		327
Canada [2]	191,209	153,454
Colombia	484	196
Ecuador	8,533	
Egypt	2,908	1,041
Indonesia	33,429	28,254
Iran	29,146	21,589
Israel	309	
Iraq	307	827
Kuwait	8,068	5,390
Libya	25,891	23,370
Malaysia	234	305
Mexico	247	
Nigeria	76,341	37,952
Qatar	185	677
Saudi Arabia	63,227	32,654
Trinidad	11,120	2,461
Tunisia	3,480	1,235
U.S.S.R.		323
United Arab Emirates	12,853	11,266
Venezuela	49,276	45,305
Total [3]	550,873	377,460

[1] Reported to the Bureau of Mines.
[2] Includes some Athabasca hydrocarbons.

Source: Mineral Industry Surveys, U.S. Department of the Interior; June, 1973; pps. 16–17.

U.S. refined petroleum imports in the first quarter of 1973 amounted to 3,429,000 b/d. Approximately 70% of this was residual fuel, with distillates and jet fuels next by size followed by gasoline, unfinished products, plant condensates with several other products making up the rest (See table #6). This pattern is particularly important because residual, distillates and gasoline are three refined products of which there is a shortage in the U.S. and a lack of refinery capacity to make up for their loss (See table #7).

The U.S. refined imports by source look like this:

Source	Average daily imports (barrels per day)	Percent of refined products
Western Hemisphere	2,819,000	84.8
Western Europe	336,000	10.1
Middle East	52,000	1.6
Africa	52,000	1.6
Other	170,000	5.1
Total	3,429,000	

TABLE 6.—IMPORTS OF FINISHED PETROLEUM PRODUCTS INCLUDING RECEIPTS FROM PUERTO RICO, THE VIRGIN ISLANDS, AND CUBA BY P.A.D. DISTRICTS

[Thousands of barrels]

	January to June (inclusive) 1973	1972
ALL DISTRICTS		
Motor gasoline, total	16,963	11,653
Receipts from Puerto Rico	9,019	9,410
Other	7,944	2,243
Naphtha-type jet fuel, total	4,064	4,525
Bonded aircraft fuel	1,505	1,254
Other	2,559	3,271
Kerosine-type jet fuel, total	29,783	29,977
Bonded aircraft fuel	28,099	29,317
Receipts from Puerto Rico	214	361
Other	1,470	299
Liquefied petroleum gases	24,663	16,651
Kerosine, total	36	27
Receipts from Puerto Rico		
Other	36	27
Distillate fuel oil, total	69,262	32,479
Bonded ships bunkers	3,120	2,954
Receipts from Puerto Rico	4,628	5,201
No. 2 fuel oil	43,107	7,100
No. 4 fuel oil	18,407	17,224
Residual fuel oil, total	342,519	322,627
Bonded ships bunkers	23,294	21,181
For military offshore use	1,441	2,527
Other	317,764	298,919
Petrochemical feedstocks, total	1,987	1,512
Receipts from Puerto Rico	430	106
Other	1,557	1,406
Special naphthas	61	395
Lubricants	959	6
Wax	519	27
Asphalt	2,453	3,370
Total	493,269	423,249

IMPORTS OF PLANT CONDENSATE [1] AND UNFINISHED OILS

Plant condensate,[1] total	19,272	12,599
Unfinished oils, total	23,368	21,991

[1] Includes natural gasoline.

Reference: Mineral Industry Surveys, U.S. Department of the Interior, June 1973, pp. 18–19.

TABLE 7.—WORLD REFINING CAPACITY

[In percent]

	Distribution of World refining capacity, 1972	Average annual increase, 1967–72
Western Europe	28.8	+5.4
North America	26.6	+4.5
United States	(22.6)	+(4.1)
Communist countries	16.1	+7.7
Japan	7.4	+15.1
Caribbean	6.9	+6.8
Middle East	4.1	+4.7
South America	3.0	+10.9
Other	7.1	
World total	100.0	+8.0

THE SIXTH DISTRICT SPEAKS OUT: TWO CRISES: BUSING AND ENERGY

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. BRAY. Mr. Speaker, from my poll taken earlier this year, I have received more responses than ever before. One very good reason for this is due to the first question asked, on busing schoolchildren. This issue exploded in the district after the questionnaire was mailed. For this reason I have taken a major share of time to reply to questions raised on busing. However, for the RECORD, here are the results in percentages of the replies to the questionnaire:

YOUR OPINION, PLEASE—1973

1. If busing schoolchildren for racial reasons is not banned by the Supreme Court, would you favor a constitutional amendment? Yes, 90%; no, 10%.

2. Do you believe that, in order to curb inflation, wage and price controls are preferable to a tax increase? Yes, 82%; no, 18%.

3. Do you favor national health insurance paid by increased social security and other taxes? Yes, 24%; no, 76%.

4. Do you think the energy crisis (power, gas, oil shortages) has passed pollution in importance? Yes, 64%; no, 36%.

5. Do you feel world tensions are relaxed to the point where we can afford major cutbacks in our defenses? Yes, 25%; no, 75%.

6. Some say there are "victimless" crimes—marijuana, prostitution, pornography, for example—that should not be considered as crimes and existing penalties on them should be repealed. Do you agree? Yes, 13%; no, 87%.

BUSING—THE MAJOR ISSUE

Shortly after the poll cards were mailed, the busing issue took on new importance in my district based on Federal court actions. Increased interest in and much hostility was generated on the whole busing coniept. In addition to the poll cards, I received literally hundreds of postcards and letters, written separately, on busing. These continue to arrive; since they did bear on a poll question, I felt I should delay final tabulation and reporting of the returns.

Typical questions were: Why are children being bused away from their neighborhood school? What can be done to stop the busing of schoolchildren? Why does not Congress not stop this busing when the public is bitterly opposed to it? These letters range from well-reasoned queries to letters filled with bitterness and even hatred. I can well understand the feelings of parents who are devoting their lives to the care and well-being of their children.

To see their children bused miles away from their neighborhood schools by court order is, to say the least, upsetting. Their children are removed from their scope of care, from activities and participation in their own neighborhood. Many parents sincerely believe that this action will adversely affect the future of their children's lives and so expressed themselves in no uncertain terms. These letters express bitterness against the courts and against a society, generally, which would take such action involving their children. These letters demand to know why effective action is not being taken that will stop this busing. Such demands are understandable. The public is entitled to an answer. This is especially true when these same questions will be asked in every community of the United States where forced mass busing is attempted.

On the 3d day of October 1973, the Indianapolis City-County Council passed by a vote of 17 to 1 a proposal for a special resolution concerning public school matters which petitioned:

The Congress of the United States to act without further delay on pending legislation to remove education from the jurisdiction of the Federal Courts and to prohibit, by constitutional amendment, the assigning of children to schools on the basis of race.

The busing question has been asked two times in the last 3 years in my polls, counting 1973. Once I had to devote almost the entire poll response to the busing question because, even though, I did not ask it, the busing issue flared up in the Sixth District while the poll was being taken. It brought so much mail and attention that I felt it could honestly be considered a part of the poll.

Many of us foresaw the dangers in the trend toward busing several years ago. I have spoken against busing many times. In remarks delivered to the House of Representatives on this subject on July 30, 1969, entitled, "Education or Social Experimentation," I strongly attacked the idea of busing to obtain racial balance.

On October 7, 1970, I made further remarks in the House on busing, entitled, "Classroom for Chessboard, Pupils for Pawns."

It is interesting to note that other polls—other than the ones I took—showed the same results; not in figures but in feeling and attitude. One was a poll taken for the U.S. Commission on Civil Rights, by an independent, nationwide polling organization. However, the Commission took the attitude that people were "seriously misinformed" about busing. The report of the Commission—which approves busing—showed 70 percent opposed busing for desegregation; 21 percent favored it; 9 percent had no opinion.

A Gallup poll taken late in the summer and reported in September 1973, showed, and I quote from the New York Times of that date:

> A majority of Americans continue to favor public school integration, but few people—black or white—think that busing is the best way to achieve it.

Only 5 percent chose busing; 9 percent black, 4 percent white were the figures by race. The 5 percent was the overall national figure. Only 27 percent—white, black, and nationwide—even favored changing school boundaries.

Now, this Gallup poll also showed the almost total lack of any so-called racial bias on the part of the respondents. Busing opposition was not based on racial feeling. What bothered people was the infringement of personal liberties, worry about busing children to schools in different neighborhoods, and worry that busing would increase local school taxes. The school board, school officials, teachers, parents and pupils, black and white, are against busing.

In every location where the pupils are being forcibly bused away from neighborhood schools to achieve a racial balance, that action has met with overwhelming opposition. As yet, the busing enthusiasts have only attempted forced busing in a relatively few localities such as the area around Indianapolis and certain areas in Virginia and Michigan.

While the general public is overwhelmingly against this busing, only a few neighborhoods have, as yet, been so personally affected as to actively and aggressively fight the bureaucrats and courts who would bus their children away from the neighborhood schools.

In answering the questions as to busing pupils to obtain a racial balance, it is well to understand the actions which brought about this recent movement of forced busing.

In States where segregation of races was practiced there was, unfortunately, busing for admittedly racial reasons. Such busing was morally wrong. However, the so-called Civil Rights Act of 1964, which became law on July 2, 1964, was intended to stop the assignment of students for racial reasons. Article b of section 401 states:

> "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

This legislation clearly forbids what the busing enthusiasts are forcing on the people today.

Despite this civil rights legislation of 1964, an early architect of this busing away from neighborhood schools to obtain a racial balance was Harold Howe II who served as Federal Education Commissioner from February 1965, to January, 1968. The weapon that Commissioner Howe used to obtain his educational utopia was the destruction of the neighborhood school. A Wall Street Journal story of August 12, 1966, roughly explained Commissioner Howe's goal. The headlines were as follows:

> Integrating Classes—Federal Officials Now Favor End to Tradition of Neighborhood School—New Education Commissioner Calls for Busing.

While Howe is no longer Commissioner of Education, many of his probusing enthusiasts are still at the Department of Education.

Perhaps the greatest injustice in busing is that it assumes that one race is inferior to another race and that pupils must be bused so that they can be with a superior race. Such a philosophy is alien to every principle of our country and is degrading to the pupil, causing the pupil to lose confidence in himself and his right to be a free man or woman.

It is true that busing reduces the effectiveness of the school and is wasting money badly needed for education.

The greatest wrong in busing, however, is to the pupil. At a period of life when a child should become interested in adjusting to school and community, he is being forcefully bused into an alien atmosphere. The pupil, in a sense, is not a citizen of either community; where he lives or to where he is bused. This period in a child's life should be filled with participation in many things: athletics, school clubs, band, orchestra, drama, music and scores of other activities to build him into a responsive and well-adjusted citizen. Busing denies him this opportunity for the normal development of blending school, home and community into a part of his growing life. The parents are denied a part in the school, emergency health care of their children, and the community school activities.

A prominent probusing school official argued that children have been bused to school for many years. It is true that children have been riding buses for many years—riding to neighborhood schools—not away from neighborhood schools.

Another argument used for present-day busing is that pupils are being transported to a better school. That may sound very fine, but what of the pupils who are left behind and what of other pupils who are bused from a "superior" school to this "inferior' school? The goal of American education should be to make all schools the very best possible. There is also something else. With a fuel crisis, and talk of gas rationing, how about a moratorium on busing—which requires staggering amounts of extra gasoline?

The remedies to stop this type of busing are both legal and legislative. Many of these "far out" court busing decisions are being appealed and it is hoped that soon some of these cases reach the Supreme Court, resulting in a favorable decision that will stop busing for racial balance. However, until such a decision is reached, the community involved should push toward a legislative decision—that is, the passage of legislation that will stop this type of busing.

The Indianapolis City-County Council, less than a month ago, on October 3, 1972, by a vote of 17 to 1 asked Congress to take appropriate legislative action. Almost 100 bills have been introduced in Congress to accomplish this; to wit, to stop this kind of busing. However, before the Congress can vote on this legislation, it is necessary to get these bills passed out of the Judiciary Committees of both the House and Senate. To the present, both of these committees have neglected the matter and refused to act. Several Members of the House, including myself, have introduced two types of legislation. On February 27, 1973, I introduced House Joint Resolution 379, proposing an amendment to the Constitution of the United States relative to neighborhood schools which briefly states:

> No public school student shall, because of his race, creed, or color, be assigned to or required to attend a particular school.

This resolution was referred to the House Committee on the Judiciary. Again on September 12, 1973, I introduced a bill, H.R. 10223, to limit certain legal remedies involving the involuntary busing of schoolchildren. In part, it stated:

> That no court established by or under the Constitution of the United States shall have jurisdiction or order the transfer or transportation of any student to carry out a plan for the desegregation of any public educational facility if such facility is operated in good faith on an open enrollment basis by a local educational agency which operates its system of free public education on an exclusively open enrollment basis.

Similar legislation was introduced by other Members of Congress and by myself in previous sessions of Congress. These were also bottled up in the Judiciary Committee.

Public opinion is rising against busing to a degree never seen before. There may, as I have noted, be favorable action by the Supreme Court. If not, then the best and only remedy left is through the national legislative process. It is going to be up to elected Federal officials—Members of the U.S. Congress—to not only

keep the issue alive, keep legislation introduced and push it, but to work for its successful passage.

Public sentiment has more to do with this than many people think. I am not saying for a moment that bureaucratic or Federal Court decisions are going to be set aside overnight by congressional action, but I believe that if the Supreme Court does not act, this congressional action will come.

This is the only way. I have been aware of it, have worked and spoken out on the issue and done everything in my power to remove this social evil, the busing of schoolchildren for racial balance, from the American scene. I have been at it for almost 5 years and I will continue until there is favorable action.

ENERGY AND ECOLOGY—SAME COIN, TWO SIDES

The looming energy shortage is far more serious today than it was at the time of the mailing of my 1973 questionnaire, yet it is interesting that 64 percent of those answering the questionnaire said that "the energy crisis has passed pollution in importance." The President, on the evening of November 7, 4 months after my questionnaire was mailed, in a national broadcast, recognized this fact when he called for emergency action in our present energy crisis.

He stated that he was:

> Directing that industries and utilities which use coal which is our most abundant resource be prevented from converting from coal to oil. Efforts will also be made to convert power plants from the use of coal—of oil to the use of coal.

The Clean Air Act of 1970 and the manner of its implementation and enforcement was, I fear, a case of "legislate in haste, repent at leisure." The power companies were forced to shift from coal to gas or oil, a low sulfur oil whose principal source of supply is the Near East. Arab retaliation in the Middle East war has added to our increasing energy shortage, when they cut their supply of oil to the United States. Japan and Europe are being injured to a much greater degree than is the United States by rapidly mounting energy crises of their own.

Millions of barrels of oil, that today would be heating homes, driving automobiles, airplanes and trucks, is now generating power that should have been generated by coal. If power in the United States today was being generated by coal there would be no energy shortages. The United States has about 6 percent of the world population but consumes over 30 percent of the energy in the world.

The President's address called for actions on behalf of the country, States and the individual, actions which properly taken and adequately implemented will bridge us over the present energy crisis with a minimum of problems and discomfitures.

We have adequate supplies of coal for some centuries to come and with proper curbing of smoke and gases, the use of coal will cause but little inconvenience to the public.

The Alaskan pipeline, which has been needlessly delayed, when completed will add greatly to our source of energy as will the increased use of nuclear reactors and the development of solar energy. The utilization of great supplies of oil, coal and gas still untapped on land and under the sea should be encouraged. The American people will cooperate in times of a national emergency and, in addition, the alternative of being cold, hungry and in the dark is not appealing.

The situation is analogous to when World War II began. Japanese drives into Southeast Asia cut us off from about 90 percent of our supply of natural rubber. So what happened? Industry developed synthetic rubber.

The great American ability called know-how can and will solve this energy crisis, but it must be allowed to do so.

The State of Indiana is one of the first three States to do something to solve this problem.

Already there is an office in Indianapolis, set up by the Indiana State government, that citizens having any fuel difficulties can call: (317) 633-4008.

THE BALANCE OF THE QUESTIONNAIRE

The other four topics, to some degree, are still unresolved and up in the air. Due to the intense interest shown in the first two it has become necessary to cut down the space allotted to the other four.

WAGE AND PRICE CONTROLS, OR MORE TAXES?

Neither are popular; my mail made that clear. But I had been informed, personally and in mail, by a significant number of people, that they would prefer higher taxes to cure inflation to further controls.

As it stands now, I do not see general higher income taxes. This could be wrong, but congressional sentiment is against it. For continuance of controls, it seems as if they may be removed within the next 3 to 4 months. There will almost certainly be some selective removal, if not scrapping them completely. There is strong sentiment in high administration councils to abolish them and let the free economy work. These controls have not worked very well so far; no one likes them; at best, they were a stopgap measure.

NATIONAL HEALTH INSURANCE

Opposed, as the poll indicates, estimated figures on what it would cost vary, concerning coverage. Complete coverage? Billions—there is no doubt about it. And such a program, make no mistake about it, would mean much higher taxes, probably both on social security—which will likely rise anyway next year—plus general income taxes, to pay for it out of the General Treasury fund.

At this time there is nothing of substance going on in Congress. There will be nothing this year, and, next year, it is questionable. The strongest backers of national health insurance admit there are many, many questions to be resolved first.

DEFENSE

The Sixth District does not believe that the world is settled to the point where we can let defense matters slide. I know, in some quarters, it is popular to talk about what we could do with the money if we did not spend it on defense. Well, it is not that simple.

The so-called détente and various trade agreements—controversial and a cause of concern to many; I understand that—do not mean an era of world peace is at hand. In fact, in all recorded history, there have been relatively very few years when we had such.

The question boils down to "What are our interests?" Well, let us consider what Lord Palmerston told the House of Commons in 1848:

> It is a narrow policy to suppose that this country or that is to be marked out as the eternal ally or the perpetual enemy. . . . We have no eternal allies and we have no eternal enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow.

VICTIMLESS CRIMES?

The new Director of the FBI, Clarence M. Kelly, a long-time law-enforcement officer who knows what he is talking about, had this to say about the idea:

> There is too much chance for hoodlums to take over, and neglect by the police merely serves to milk the public dry. . . . When crimes without victims become an open field, it can become a playground for hoodlums.

Those who say there are "victimless crimes" maintain that some things are harmful to the individual, and not to society at large. To that I would respond with the famous remark of the Englishman John Donne, in 1924:

> No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friends or of thine own were; any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee.

REPORT ON MIDDLE EAST OIL AND THE UNITED STATES

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. MIZELL. Mr. Speaker, last week the President in his message to the Nation on the energy emergency said:

> Unfortunately, our expectations for this winter have been sharply altered by the recent conflict in the Middle East. . . . We must, therefore, face up to a very stark fact. We are heading toward the most acute shortages of energy since World War II.

The Republican Task Force on Energy and Resources has prepared a report on "Middle East Oil and the United States" which details the flow of the Arab oil to the United States. The report looks at the international oil market and the domestic needs of the United States and attempts to determine what needs exist in this country for Arab oil. The report found that over 14 percent of the oil consumed by the United States in the first half of 1973 was from the Middle East.

The report also contains a list of recommended actions which should be considered if the United States is ever going to get out of the present energy crisis.

This report was prepared by John Nu-

gent, the Director of the Task Force on Energy and Resources. Mr. Nugent studied at the American University of Beirut in Lebanon and has worked for government and private organizations on the Middle East and energy issues:

REPORT ON MIDDLE EAST OIL AND THE UNITED STATES—PART III

(By the House Republican Task Force on Energy and Resources, House Republican Conference, November 9, 1973)

(Members: ROGER H. ZION, INDIANA, Chairman; JAMES ABNOR, South Dakota; WILLIAM ARMSTRONG, Colorado; LAMAR BAKER, Tennessee; JOHN N. CAMP, Oklahoma; THAD COCHRAN, Mississippi; JAMES M. COLLINS, Texas; PAUL W. CRONIN, Massachusetts; BENJAMIN A. GILMAN, New York; ROBERT P. HANRAHAN, Illinois; ELWOOD HILLIS, INDIANA; ROBERT C. MCEWEN, New York; CLARENCE F. MILLER, Ohio; WILMER MIZELL, North Carolina; RONALD A. SARASIN, Connecticut; FLOYD SPENCE, South Carolina; ALAN STEELMAN, Texas; STEVEN D. SYMMS, Idaho; GENE TAYLOR, Missouri; DAVID C. TREEN, Louisiana.)

INDIRECT IMPORTS OF MIDDLE EASTERN OIL

Direct imports from the Middle East and North African area (excluding Iran and Israel) amount to 5.2% of the total U.S. consumption—not an alarming figure but not a complete one either. When the exports to the U.S. of the major non-Persian Gulf and North African suppliers are analyzed, it becomes apparent that without Arab oil they would be unable to continue the current levels of exports to the United States.

Canada, for instance, is a net exporter of crude oil through its sale of oil to the U.S. Canada sells oil to the U.S. from its fields in the western part of the country, gains foreign exchange and then buys oil which it imports on its eastern coast. Canada relies on 850,000–900,000 b/d of imports to meet its total demand of 1.6 mb/d. 53% of the imports come from Colombia and Venezuela, 25% from Arab sources, 14% from Iran and 8% from Nigeria. With the Venezuelian production declining and Canadian domestic demand increasing, the trend in Canada is toward importing increasingly more crude oil from the Persian Gulf and North Africa. Estimates vary, but at a minimum some 400,000 b/d of Canadian exports of crude oil to the U.S. could be affected by a Middle Eastern boycott. The U.S. will be effected in two ways. If Canada, during an embargo, continues to get most of the oil it needs through competitive bargaining and higher prices, the reductions of exports to the U.S. will likely be lower. However, the price to the U.S. will be considerably higher. Further, Canada might require the U.S. to replace Canadian western exports with U.S. oil shipments to the Montreal area. Lastly, Canada might be tempted to find other markets for its oil either within the country or as exports to nations other than the U.S., possibly Japan.

Should Canada decide to move away from the U.S. market, she will face some potentially serious dislocations and will have to measure her own interests and the price she is willing to pay both economically and diplomatically against the pressure the U.S. will bring to continue the present patterns. Recent actions by Canada indicate she is seriously considering such a move. In April 1973, Canada imposed export controls on crude shipments to the U.S. and as late as September, Prime Minister Trudeau announced he would seek measures to protect against Middle East cut-off including a pipeline from the west to Montreal. (This pipeline could cut Canadian exports to the U.S. by an estimated 550,000 b/d.) As a result of the restrictions of world crude supplies, Canada has been increasing the crude oil tanker shipments between the Interprovincial Pipeline terminal in Ontario and Montreal with the shipments expected to reach 50,000 b/d in November. There are other instances of this second country sales in crude although they are nowhere near as massive or as easy to demonstrate.

In the area of refined imports to the United States, second country sales are much more prevalent. Of the 2.8 mb/d of refined products from the Western Hemisphere some 1.6 mb/d come from the Caribbean and roughly 50% or some 500,000 b/d of this are products refined from Middle Eastern and North African crude oil. Of the Canadian refined products exported to the U.S. it is estimated that 100,000 b/d are related to the Middle East. In addition, the whole of Europe's 336,000 b/d is dependent on supplies of crude oil from the Middle East. Thus, the refined imports to the U.S. which originate as Middle Eastern or North African crude oil are in the neighborhood of 900,000 b/d. As in the case of crude imports only, the cases that involve amounts large enough to be easily measured have been included although others exist.

The total imports from the Middle East and North Africa for both the direct imports and the second country transactions amount to 14% of the oil consumed in the U.S. The figures for both types of imports are as follows:

PETROLEUM IMPORTS DIRECTLY FROM THE MIDDLE EAST/NORTH AFRICA

Source	Average daily imports (barrels per day)	Percent of total U.S. consumption
Crude imports: Middle East/North Africa	961,000	
Refined imports: Middle East/North Africa	104,000	
Subtotal	1,065,000	6.1

PETROLEUM IMPORTS INDIRECTLY RELATED TO THE MIDDLE EAST/NORTH AFRICA [1]

Crude: Canadian	400,000	
Refined:		
Europe	336,000	
Canada	100,000	
Other Western Hemisphere	500,000	
Subtotal	1,336,000	7.7
Total	2,401,000	13.8

[1] Estimate of oil likely to be affected within the first few months of major reductions in Middle East/North African oil exports.

BOYCOTT RESULTS: ESTIMATE OF EFFECT

When considering the question of a Middle Eastern oil embargo and the world-wide oil picture, it is important to remember that only Saudi Arabia has the capabilities to increase production significantly for an extended period of time. Iran would be very hard pressed to make up for even 5% reductions in Persian Gulf production. Iran has plans for expansion but is very conscious of its oil reserves and the need to plan production to meet the Shah's internal development plans. Thus, Iran would be very reluctant to greatly expand production although for a short period it is not unreasonable to expect some moderate increases. Russia is the other country often mentioned as having the capability to make up for losses of Persian Gulf and North African oil. Russia does have considerable potential for expansion and could definitely increase exports for a short time. However, the amounts are not felt to be large enough to offset a serious Arab embargo lasting any considerable time. Further, political considerations could possibly dictate that Russian oil would go to the Western Europeans rather than the U.S. This might be the case if the Soviets did not want to risk embarrassment in the Arab world and were willing to risk weakening of detente with the U.S. In addition, by most estimates, Russia will have become a net importer of petroleum by the 1980's, if she is to meet the energy demands of her expanding industries and public consumption. Any shortages that are caused by an Arab embargo are going to be real rather than relative shortages which can be compensated for from another area.

Counting stockpiles and company supplies in Western Europe, Japan and the United States, which range from weeks to months it will be a month or more before the effects of an embargo become serious, provided the embargo lasts that long. However, should the Arabs continue their actions, several changes can be expected in the world oil market. These changes could possibly cause further decreases in the oil available for import to the U.S. beyond the 2.4 mb/d mentioned previously. Faced with the prospect of significant oil shortages, Western Europe and Japan would probably move from cooperation to competition with the U.S. in the oil market. This is particularly so if they view with disfavor U.S. diplomatic actions and the arms shipments to Israel which led to the embargo. In bidding for the petroleum supplies of the remaining producers, plus possible Arab oil sold to them based on their support for the Arab cause, the price is almost certain to rise and potentially a portion of the oil now going to the U.S. would go to them at this higher price. Another possible side effect is that all exporter-importer countries, not just the ones mentioned previously, would have to restrict their sales thus causing a ripple effect in the refined product market. Japan could also be expected to enter the oil market with its own companies at an accelerated rate. Currently, Japan gets 70–80% of its oil from the major oil companies none of which are Japanese. To correct this Japan has created the Japan Petroleum Development Corporation to assist Japanese companies in exploration and development. This process would certainly be increased bringing Japan into the market as a major independent competitor.

It is not certain that the Arab nations will be able to enforce a boycott or continue one over a long period of time. What is certain is that the U.S. dependence on Middle Eastern and North African oil has been growing and is likely to continue. As long as the Arab-Israeli crisis continues, oil will be used as a political tool not only for economic gains but also for achievement of foreign policy goals.

1973 may in many ways be a turning point. If the Arab nations see the embargo as successful in pressuring the U.S. to modify its position toward or in bringing about a settlement of the Arab-Israeli dispute, and if the much higher prices unilaterally set during the crisis become permanent (Indonesia and others have followed the Arab example and raised their prices), the Arabs will have won significant gains from the oil companies and the major importing nations. The 1970's and the 1980's may be the decades of the oil exporters as the 40's and 50's were ones of dominance of the oil market by the major oil companies. Provided that the Arab-Israeli crisis is solved and the exporting and importing nations can put their dealings on a more businesslike footing, this period of dominance of the oil market by the seller need not be a particularly troublesome time.

RECOMMENDATIONS

What should the United States do to balance its needs for oil with domestic economic needs and foreign policy objectives? The nature of the energy crisis facing the U.S. is such that domestic actions must be taken to improve the relative imbalance in the U.S. with regard to energy consumption and petroleum fuels. Also, the implications of the recently announced oil boycott for the U.S. energy picture make it imperative that serious consideration be given to the U.S. foreign policy objectives in the Middle East and in the international economic community.

Some of the factors and actions which the U.S. may want to consider in its attempts to solve its energy problems are listed below. No attempt has been made to rank them by priority or to place them in perspective with regard to the time frame implied by each suggestion. Further, the listing of these proposed actions does not imply endorsement of a proposed course of action and in a few cases the suggestions may even be in conflict. The attempt here is more to outline the possibilities and give an indication of the range of choices rather than define a course of action.

First, in the *foreign policy and international economics area* the following approaches to the problem might be taken:

(1) Apply pressure on all parties and work together with the Soviet Union to achieve a just and acceptable settlement to the Arab-Israeli conflict. The temptation to stop with a cease-fire should be resisted; in the past these have proved only temporary and have not so far led to peace negotiations.

(2) Work with the oil exporting nations to assure that their goals can be met without seriously upsetting economic progress in other areas. This will include establishing oil contracts that adequately account for currency fluctuations and inflation. Further investment incentives should be available to make oil production worthwhile. Unless it is profitable to increase production or even produce the oil, exporters are likely to curtail production. These investment opportunities may result in closer economic ties between the producer and the importer states making future embargoes less likely. In addition, the major industrial nations should provide investment opportunities for the growing foreign currency holdings of the oil states with the aim of preventing strains on the international monetary system and helping to alleviate the drains on revenues and the chronic instability due to balance of payments disequilibrium.

(3) The major industrial nations should cooperate for the purpose of furthering research and development in all fields of energy research. This cooperation might extend to establishing limited programs to assist each other during oil shortages, possibly through the sharing of reserves. However, to view this cooperation as an anti-OPEC organization or as a bargaining tool would be unwise. Japan would be most unlikely to join as would most Western European nations.

(4) The U.S. should work with Canada to assure that both countries' economic needs are met to the fullest extent possible. The consequences of an economic realignment by Canada away from the U.S., particularly in the area of oil, would present the U.S. with some very severe problems.

(5) The U.S. should reevaluate its foreign policy and military needs to determine the value of increasing stockpiles.

In the area of *domestic economic policy* the U.S. should recognize that it has an energy problem with or without an Arab boycott of oil. Boycotts by the Arab oil producers may aggravate the crisis but they did not cause it. Further, it is entirely possible that for the foreseeable future the U.S. will remain dependent on oil imports for a sizeable proportion of its domestic energy needs. With this goes the obverse, mainly that without drastic changes in the economic picture the U.S. is not likely to be self-sufficient in energy reserves for at least the next decade or more. This is not to imply that the U.S. should not take every action to reduce dependence on imports. The U.S. very definitely should, but recognizing the needs for imports opens up new approaches to the U.S. energy problems. (Just as a brief note, most projections into the long range period indicate a shift away from the fossil fuels towards the renewable energy sources. The trick is to be prepared for the shift before the shortages are induced by depletion rather than man made.)

The following are suggested approaches which might be taken in the U.S. to alleviate energy problems:

(1) Increase the domestic capabilities to produce more fuel resources. Exploration and development of all natural gas and petroleum deposits should be undertaken both onshore and offshore and U.S. refinery capacity should be greatly expanded. Increase the use of coal in an environmentally acceptable way. Increase the use of nuclear energy as an addition to and substitute for fossil fuels. This increased use includes not only new production but also more efficient ways of producing and using our current resources.

(2) The U.S. should build the facilities necessary to handle increased imports. This includes deepwater ports, super tankers, new refineries and additional pipelines and storage facilities.

(3) The U.S. should provide investment opportunities for the oil producing nations that are compatible with U.S. economic growth and mutually beneficial with the view towards increasing production, easing the balance of payments drain, and preventing oil revenues from being used at some future time against the international monetary system or the U.S. dollar.

(4) Every reasonable effort should be put into R & D activities to insure that the U.S. has enough energy resources to meet its projected needs. The range of projects dealing with fossil fuels include: ways to use coal that minimize the dangers to the environment, gasification and liquification programs to produce fuels from coal, tar sands and oil shale and increasing the recovery capabilities of the oil and gas reserves as well as assuring their most efficient use. In the renewable energy resource area geothermal, solar, and nuclear energy are the foremost prospects.

(5) Coordinated programs to conserve energy in all phases from production to consumption should be adopted. The method of compliance could range from voluntary to enforced programs with monitoring systems to assure implementation.

(6) Contingency plans should be developed which go beyond the current allocation programs. The ultimate step would be a rationing mechanism for all important energy sources.

(7) The U.S. government should be recognized to place offices with a working responsibility for energy under one body. This would facilitate R & D, coordinate energy policy spanning all sources and insure that energy policies are implemented in a fashion which takes into account the numerous sources.

(8) At least during the next few years some of the environmental regulations may be modified to allow the use of fuels which are now banned such as coal and high sulphur oil. This could be done on an individual case basis or through a modification on a general scale to existing laws. The modification may be in either the primary or secondary areas.

WOMEN AND CREDIT DISCRIMINATION—THE MYTHS, THE FACTS, AND THE NEED FOR LEGISLATION

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Ms. ABZUG. Mr. Speaker, this morning I had the privilege of testifying before Representative LEONOR SULLIVAN's Subcommittee on Consumer Affairs of the House Banking and Currency Committee. The subject of the hearing was discrimination of the extension of credit to women by reason of sex or marital status. I would like to take this opportunity to insert in the RECORD the text of my testimony.

TESTIMONY OF BELLA S. ABZUG BEFORE THE HOUSE BANKING AND CURRENCY COMMITTEE, CONSUMER AFFAIRS SUBCOMMITTEE

Representative Sullivan, members of the Committee, I would like to commend and thank you for holding these hearings on the issue of women and credit. I wish to commend the Chairwoman also for her leadership in consumer protection, as a member of the National Commission on Consumer Finance, and as a leading advocate here in the House of the Consumer Credit Protection Act. I know that you and the Subcommittee have spent a great deal of time investigating the practices of our federal agencies and commercial firms in the administration of existing consumer protection legislation and the need for new legislation.

My legislation HR 9110 (The Equal Credit Opportunity Act) attempts to remedy the widespread problem of discrimination on the basis of sex or marital status in the granting of credit to women. The unavailability of credit to women was documented during hearings held by the National Commission on Consumer Finance, again in Federal Deposit Insurance Corporation hearings and in many letters to my office and I am sure to the offices of other members of the Committee. The five discriminatory acts documented by the Commission were summarized as follows:

1. Single women have more trouble obtaining credit, especially mortgage credit, than single men.

2. Creditors generally require a woman who has credit to reapply for credit when she marries, usually in her husband's name. Similar reapplication is not asked of men when they marry.

3. Creditors are often unwilling to extend credit to a married woman in her own name.

4. Women who are divorced or widowed have trouble reestablishing credit. Women who are separated have a particularly difficult time since their accounts may still be in the husband's name.

5. Creditors are often unwilling to count the wife's income when a married couple applies for credit.

HR 9110 recognizes that there is a need to insure that the various financial institutions engaged in the extension of credit exercise their responsibility to make credit available with fairness, impartiality, and without discrimination on the basis of sex or marital status.

Economic stabilization would be enhanced and competition among the various financial institutions engaged in the extension of credit would be strengthened by an absence of discrimination on the basis of sex or marital status, as well as by the informed use of credit which Congress has heretofore sought to promote. It is the purpose of this Act to require that financial institutions engaged in the extension of credit make that credit equally available to all creditworthy customers without regard to sex or marital status.

I am sure that others before me and others after me will bring forth statistics about working women in America. Not to be redundant but to again stress the importance of putting to rest the shibboleths about women, that have served to deny credit to women, let me set the facts straight.

One shibboleth is that although some women may work they don't work for long. The fact is that 43% of all women work, making up some 38% of the nation's labor force. That equals some 35 million women workers. The average work life expectancy of single women is 45 years, actually two years longer than the average for men. The widowed, divorced, or separated woman at age 35 can expect to work for another 28 years, just six months less than the work-life ex-

pectancy of a man at age 35. Even the married woman with children who reenters the labor market at age 35 can anticipate another 24 years of work which is just under 4 years less than a man of 35.

Another shibboleth is that women move from job to job. However, according to a U.S. Department of Labor study done in 1968, the difference between the quit rate for men and women factory workers was 4 per thousand. The factors determining layoff rates are not sex or marital status. They are such factors as seniority and skill.[1]

It is also interesting to note that beyond the proverbial three C's—character, capacity, and collateral—the lending institutions have not shown much hard data about their criteria of creditworthiness nor have they specified what is the chief determinant of poor risk loans.

The Veterans Administration and the Federal Housing Administration did a study in 1970 of mortgage delinquency (Home Mortgage Delinquency and Foreclosure, Herzog and Earley). This study indicates that loans, if they are defaulted, default in the first five years, especially in the 2nd through 5th year. It also shows that the average length of a consumer loan is 18 months. If I were a lender, I would have to draw the conclusion from this report, that I should not be so concerned with the long term employment pattern of women but with the short term credit worthiness of this particular loan or mortgage applicant. In fact, one of the variables used by Herzog and Early was marital status. They concluded, "marital status was not a statistically significant variable in any of the equations." [2]

I understand that some of the lending institutions have testified that they would have no objection to legislation prohibiting discrimination on the basis of sex but would raise objection to marital status being included in the ban.

Let us examine some of the marital status categories and the working pattern of women in them.

Most single women are employed. Although many of these women will eventually marry, that decision is being postponed. In 1960, 28% of all women between the age of 20 to 24 had never been married. By 1970 this figure increased to 37% of the age category.[3] If this woman remains single she can expect to work longer than the average man.[4]

If and when this woman does marry she is likely to remain in the labor force. 55% of all women maintain their job when the husband is under 35 years of age.[5] According to a survey done by *Bride*'s magazine and reported in the *Merchandizing Week*, May 15, 1972, 94% of brides-to-be plan to work after marriage, compared to an 89% figure five years ago.

The divorced or separated women constitute 11% of the women's workforce.[6] The comparable figure for men is 5%. Lenders cannot justify their discrimination against divorced or separated women or widows by claiming that their incomes decline or they do not work as long as men. Divorced women who are working at age 35 can be expected to work another 29 years. A widow working at age 35 can expect to work for another 27 years.[7]

These women work out of economic necessity. As of March, 1971, 70% of all divorcees, including those who were not family heads, and 50% of all separated women were in the labor force. In fact, divorced women with pre-school children had twice the labor force participation of married women.[8]

Let us also examine the statistics concerning married women. Well over 40% of American families have both husband and wife working. Married women with no children are likely to be in the labor force: 72% of all childless wives between the ages of 20–24 and two-thirds of those between the ages of 25 and 34.[9] 50% of all married women with school age children are in the labor force.[10]

We can see that there is little truth in the myth that divorced, widowed and separated women and married women with children, are unreliable. But the lenders ask, what about young wives. At this point we must look at another group of statistics, those dealing with projected and actual birth-rates. The Census Bureau reports that women between the ages of 18 to 24 expect to have only 2.1 births. The length of time between the first and subsequent birth has also been on the decline. As of 1965 the average span between births has been 2½ to 3 years.[11] Thus, we can see that young wives are having fewer children, closer together in age. In addition many mothers of pre-schoolers are staying on the job. In 1969, 44% of all mothers with children under the age of six were working.[12]

I put these statistics before you to illustrate that credit must not be denied to women on the basis of shibboleths, myths and misconceptions. To base a determination of creditworthiness on a class, be it sex or marital status, makes no sense. It must be on the basis of an individual determination of creditworthiness.

In May, 1972 when I introduced legislation that would prohibit discrimination on the basis of sex or marital status it was the first such legislation that covered retail and consumer credit and mortgages. Also in 1972 Rep. Hechler secured the inclusion in the Housing Act of 1972 a provision which prohibited discrimination in mortgage credit by reason of sex or marital status. My measure now has 74 co-sponsors, including some members of this distinguished committee. I was particularly gratified that the Senate in July of this year adopted an equal credit opportunity title to S. 2101 which is similar to my legislation.

HR 9110 (which is also numbered HR 8163, 9111, 9112) amends the Truth-in-Lending Act by the addition of a new chapter 4 to Title I.

SEC. 151. Prohibited Discrimination. This section makes it unlawful to discriminate on account of sex or marital status in the extension, denial or terms of credit.

SEC. 152. Civil Liability. This section provides that any person who violates this Act shall be liable for not less than $100 or more than $1000 in an individual action, or greater than $100,000 in a class action. It also provides for punitive damages such as the court may allow and reasonable attorney's fee. It further provides for this action to be heard in the district courts of the United States.

There are three additional provisions which appear in HR 9110 that do not appear in S. 2101. The first appears in Sec. 152, Civil Liability. My bill allows the court to set punitive damages for violations of this Act. The other two differences occur in Section 5 of HR 9110. Section 5 amends Sec. 121 of the Consumer Protection Act by adding a new subsection. The new subsection would require that each creditor and card issuer disclose clearly and conspicuously the criteria upon which judgments of creditworthiness are made.

Studies done by the Pennsylvania Commission on the Status of Women, the Oregon Student Public Interest Research Project and the Durham, North Carolina NOW chapter show that loan and credit policies of banks, retail stores and national card issuers differ even within branches of the same store in the same city. I think you may have heard of the case of the New York bank vice-president who, upon reading in the newspaper of a couple denied a mortgage on the basis of sex and marital status discrimination, sent them a loan application only to be told by the couple that his bank had already refused them.

The record is replete with stories of credit discrimination against women and I will not tax the energies of this committee by repeating them now. I am annexing my testimony before the National Commission on Consumer Finance of May 23, 1972 which gives some examples of this type of discrimination. Should the Committee request I shall be glad to submit additional examples.

Section 5 of this Act further provides that every person who is denied credit be informed of the specific basis that denial in writing. This is consistent with the type of consumer information policy that the chairwoman and this subcommittee have recognized by providing consumer access to credit bureau files in other consumer protection legislation.

Committee counsel asked for information about existing New York State law effecting property and credit rights of women. In New York single women have the same rights and obligations as men to make contracts, be sued, buy and sell property, both real and personal. Married women's rights are covered under New York Domestic Relations Law, Section 50, Property of Married Women. It reads: "Property, real or personal, now owned by a married woman or hereafter owned by a woman at the time of her marriage, or acquired by her, as prescribed in this chapter, and the rents, issues, proceeds and profits thereof shall continue to be her sole and separate property as if she were unmarried and shall not be subject to her husbands control or disposal or liable for his debts." New York Executive Law 296 prohibits the denial of mortgage credit on the basis of sex or marital status. In my opinion nothing in HR 9110 is in conflict with existing state law.

In any case, I have dealt with this question in Section 153 of the Act. Sec. 153. Effect upon state laws. This law would not require the granting of credit to anyone not financially eligible for it. It would supercede a state or local law or custom requiring or permitting discrimination on the basis of sex or marital status. Where a state or local statute makes assets unavailable as a matter of law because the earnings or property of a married women are not in the control it would not at this time require that such assets be considered in determining her creditworthiness. (I hope however, that such state laws which deny women such economic power will soon go the way of laws denying them the vote.) Section 153 would also not alter existing state law relating to prohibition against discrimination except to the extent that such laws are inconsistent with the provisions of this chapter and then only to the extent of such inconsistency.

The final issue and the most important is the necessity for this legislation. The National Commission on Consumer Finance recommended that each state review its own laws to end discriminatory practices. Although I believe that is necessary I do not think it will suffice to answer the problem.

Credit is often a nationwide system. Many banks, small loan companies, the national card issuers and many of the leading retail stores have branches and outlets all over the country. 50 or more different systems would not simplify or correct this problem but would serve to confuse and complicate it.

It is time that women exercise their right to take part in all aspects of American economic life. There is no rational reason for any sort of obstacle to women in their use of economic power.

I will conclude by urging this subcommittee to report out HR 9110 which I believe to be more effective than S. 2101 in remedying the abuses delineated. In any case I look forward to the committee reporting out a bill that accomplishes the purpose of eliminating credit discrimination by reason of sex or marital status.

Footnotes at end of article.

FOOTNOTES

[1] U.S. Department of Labor, Women's Bureau, Facts About Women's Absenteeism and Labor Turnover. August, 1969.

[2] Home Mortgage Delinquency and Foreclosure. John P. Herzog and James S. Earley, National Bureau of Economic Research, New York, 1970.

[3] New York Times, February 17, 1972, p. 25.

[4] U.S. Department of Labor, "Work Life Expectancy and Training Needs of Women", Manpower Report, No. 12, May, 1967, p. 4.

[5] Josephine McElhone, Economist, Federal Home Loan Board, in testimony before the National Commission on Consumer Finance, May 22, 1972.

[6] "Marital and Family Characteristics of the U.S. Labor Force", Elizabeth Waldman, Monthly Labor Review, May, 1970, p. 20.

[7] "Work Life Expectancy and Training Needs of Women", p. 4.

[8] "Marital and Family Characteristics of the Labor Force," Elizabeth Waldman and Kathryn Gover, Monthly Labor Review, April, 1972, p. 7.

[9] Waldman, Monthly Labor Review, May, 1970, p. 19.

[10] Chart, p. 46, Monthly Labor Review, March 1971.

[11] U.S. Bureau of the Census, Current Population Reports, Series P-23, No. 36, "Fertility Indicators: 1970", p. 36.

[12] Washington Post, March 5, 1972, p. D6.

GAO CITES NEED FOR IMPROVED ATOMIC PLANT SECURITY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. FRASER. Mr. Speaker, the administration's reliance upon nuclear fission power as a solution to the energy crisis gives pause for reflection and concern. Thus far our national program for energy research and development has concentrated overwhelmingly on nuclear fission power.

Many scientists are seriously troubled by the grave safety problems associated with production of this kind of power. The Ford Foundation's energy policy project will soon publish a study on sabotage, which sets forth the possibility of theft of fissionable material for illegal weapons' production. With more atomic plants coming on line, this danger will increase.

In his latest energy message, the President has asked us to shorten by 4 years procedures for licensing and construction of nuclear plants. In the rush for new and needed energy sources, we must insist on adequate safety precautions.

With this in mind, I call Members' attention to a report just released by the General Accounting Office on needed improvements in the Atomic Energy Commission's program for protection of "special nuclear material"—the fissionable uranium or plutonium used as fuel for nuclear power reactors.

A digest of the GAO report follows:

IMPROVEMENTS NEEDED IN THE PROGRAM FOR THE PROTECTION OF SPECIAL NUCLEAR MATERIAL

WHY THE REVIEW WAS MADE

Special nuclear material is fissionable plutonium or uranium used principally in nuclear weapons and as fuel for nuclear power reactors. The Atomic Energy Act charges the Atomic Energy Commission (AEC) with the responsibility for developing regulations, in the interest of national defense and security, for protecting such material against loss or diversion.

Because of the potentially dangerous consequences from a single diversion of special nuclear material, an effective program for its protection is essential. Therefore, GAO reviewed AEC's program for in-plant protection of such material held by organizations authorized to possess it.

FINDINGS AND CONCLUSIONS

About 600 organizations are authorized to possess special nuclear material. Ninety-five are required to comply with AEC's requirements for protecting the material.

AEC has determined that the remaining organizations are exempt from these requirements because they hold small amounts or because it does not consider the material to be of high strategic importance. These exempt organizations, however, must provide the normal protection afforded radioactive material for health and safety reasons.

Persons with the requisite technical expertise and the necessary resources can make a crude nuclear weapon from about 17 kilograms of uranium or 6 kilograms of plutonium. A kilogram is approximately 2.2 pounds.

AEC has stated that it was not aware of any diversion of special nuclear material from authorized uses. However, it recognized that the probability of the material being stolen, unexplainably or accidentally lost, diverted from authorized use, or used or disposed of in unauthorized ways increases as the quantity and number of organizations authorized to hold such material increases. According to AEC the annual domestic requirement will be over 1 million kilograms by 1980.

AEC's Director of Regulation is responsible for the adequacy of the protection of special nuclear material held by licensees. AEC's General Manager has a similar responsibility for such material held by AEC and AEC contractors. (See p. 7.) A private firm can be both an AEC licensee and an AEC contractor (licensee/contractor).

Physical security systems

GAO reviewed the in-plant protection systems of three licensee/contractors holding confidential and unclassified special nuclear material. GAO noted several conditions at two of the plants which significantly limited the holders' capability for preventing, detecting, and effectively responding to a possible diversion or diversion attempt.

GAO noted such conditions as—

Weak physical security barriers;

Ineffective guard patrols;

Ineffective alarm systems;

Lack of automatic-detection devices; and

Lack of an action plan in the event of a diversion of material.

The extent to which any one of these conditions violated AEC requirements was difficult to assess because AEC's requirements did not always specifically define the type or degree of protection which should be given to special nuclear material. Nevertheless, the capability of the protection systems at these two facilities was so limited that the material was inadequately protected.

AEC agreed that these systems were not adequate and stated that they did not meet its requirements. AEC told GAO that actions had been or were being taken to correct these protection systems.

Examples of physical protection conditions found at one of the facilities were:

Guards did not vary times or routes when touring the plant.

Fencing around the plant had broken locks on gates, holes large enough for a person to gain access to the plant, and several other weaknesses.

Material was stored in a prefabricated steel structure which could be breached easily.

AEC's physical protection program

In September 1971 AEC completed an internal study of its physical protection program for special nuclear material, which contained a number of recommendations aimed at strengthening the program. But AEC was slow in implementing them. During GAO's review the Director of Regulation and the General Manager had taken or had begun to take actions to strengthen the program.

AEC's Director of Regulation:

Developed broad objectives for protecting special nuclear material, and

Published in the Federal Register, for industry comments, proposed amendments to the protection requirements.

AEC's General Manager (1) drafted revisions to clarify and increase the protection requirements for classified material and (2) in June 1973 issued new requirements for unclassified material held by contractors.

AEC needs to define in greater detail the expected capability of a protection system by providing more specifics relating to its prevention, detection, and response capabilities.

Such a definition should—

Place holders in a better position to know what their systems must be capable of doing, and

Place AEC in a better position to assess the adequacy of the holders' systems.

Differences in protection requirements

There are differences between the proposed requirements to be imposed on licenses and the recently revised rquirements imposed on contractors for the protection of unclassified material.

For example, a licensee would be *required* tot search all individuals, packages, and vehicles entering a protected area or leaving an area containing special nuclear material. On the other hand, individuals, packages, and vehicles at contractors' plants are *subject to* search.

AEC should impose the same requirements on both types of facilities or should justify the differences. AEC told GAO that it is doing so.

Inspection practices

AEC monitors the adequacy of holders' protection of special nuclear material principally through onsite inspections. GAO noted two matters relating to AEC's inspection program which needed improvement:

The responsibility for assessing the adequacy of the protection at licensee/contractor facilities was divided; i.e., the Director of Regulation assessed the protection of unclassified material held under the licensee and the General Manager assessed the protection of classified material held under the contract.

The inspections for the most part were compliance inspections concerned mainly with determining whether AEC's requirements were met rather than with the overall effectiveness of the physical protection systems.

AEC's plans call for a number of improvements in its inspection program.

AEC has taken a number of actions aimed at strengthening its protection program for special nuclear material. However, more needs to be done to strengthen the in-plant physical protection over unclassified and confidential special nuclear material and to provide a better basis for assessing the adequacy of the protection afforded such material.

RECOMMENDATIONS

AEC should—

Expedite the formal issuance of the proposed changes to its protection requirements.

Define in greater detail the expected capability of a protection system designed to

prevent, detect, and effectively respond to a possible diversion or diversion attempt and strengthen the protection requirements to the extent necessary.

Impose the same protection requirements on licensees and contractors holding unclassified material or justify the differences.

Improve its inspection practices, as planned, by (1) conducting one overall evaluation of the protection measures employed at licensee/contractor plants covering both classified and unclassified material and (2) developing new inspection procedures which will place increased emphasis on evaluating the effectiveness of the protection at licensed facilities.

AGENCY ACTIONS AND UNRESOLVED ISSUES

AEC generally agreed with GAO's recommendations and said that it has taken, or is taking, actions to implement them.

MATTERS FOR CONSIDERATION BY THE CONGRESS

This report informs the Congress of AEC actions needed or being taken to improve the in-plant physical protection of unclassified and confidential special nuclear material.

WHEN THE FROST IS ON THE PUNKIN

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. CARTER. Mr. Speaker, this weekend it was my good fortune to be in Kentucky where the frost was on the pumpkin and the fodder's in the shock. The trees were a riot of color from dark crimson to pink, gold, yellow, and brown. It seemed as if a magic carpet covered the towering mountains.

It was also my pleasure to partake of some of the bountiful harvest which the people throughout Kentucky have just gathered in. It brought to mind a poem by James Whitcomb Riley, "When the Frost Is on the Punkin," and I include this for the RECORD:

WHEN THE FROST IS ON THE PUNKIN

(By James Whitcomb Riley (1849–1916))

When the frost is on the punkin and the fodder's in the shock,
And you hear the kyouck and gobble of the struttin' turkey-cock,
And the clackin' of the guineys, and the cluckin' of the hens,
And the rooster's hallylooyer as he tiptoes on the fence;
O, it's then's the times a feller is a-feeling' at his best,
With the risin' sun to greet him from a night of peaceful rest,
As he leaves the house, bareheaded, and goes out to feed the stock,
When the frost is on the punkin and the fodder's in the shock.
They's something kindo' harty-like about the atmusfere
When the heat of summer's over and the coolin' fall is here—
Of course we miss the flowers, and the blossoms on the trees,
And the mumble of the hummin'-birds and buzzin' of the bees;
But the air's so appetizin'; and the landscape through the haze
Of a crisp and sunny morning of the airly autumn days
Is a pictur' that no painter has the colorin' to mock—
When the frost is on the punkin and the fodder's in the shock.
The husky, rusty russel of the tossels of the corn,
And the raspin' of the tangled leaves, as golden as the morn;
The stubble in the furries—kindo' lonesome-like, but still
A-preachin' sermuns to us of the barns they growed to fill;
The strawstack in the medder, and the reaper in the shed;
The hosses in theyr stalls below—the clover overhead!—
O, it sets my hart a-clickin' like the tickin' of a clock,
When the frost is on the punkin and the fodder's in the shock.
Then your apples all is getherd, and the ones a feller keeps
Is poured around the celler-floor in red and yeller heaps;
And your cider-makin's over, and your wimmern-folks is through
With their mince and apple-butter, and theyr souse and saussage, too! . . .
I don't know how to tell it—but if sich a thing could be
As the Angels wantin' boardin', and they'd call around on *me*—
I'd want to 'commodate 'em—all the whole-indurin' flock—
When the frost is on the punkin and the fodder's in the shock.

IMPEACHMENT NEEDS LEGAL GROUNDS

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. WAGGONNER. Mr. Speaker, while many people are going around these days rationalizing about Watergate, there are some who deal in plain, hard facts with regard to that subject. I doubt that many of our colleagues have had the opportunity to see an editorial which appeared in the Fort Worth Star-Telegram for Sunday, November 11, 1973, entitled "Impeachment Needs Legal Grounds." Therefore, I am including it in the RECORD following my remarks.

I urge all of our colleagues to read it carefully. The author is our own DALE MILFORD, who represents the 24th District of Texas. DALE is as fairminded a man as I know, and he has presented us with an incisive analysis of the impeachment question. The article follows:

IMPEACHMENT NEEDS LEGAL GROUNDS

(By Congressman DALE MILFORD)

Beginning with the firing of Special Prosecutor Archibald Cox, every congressman's office has been bombarded with hundreds of wires, phone calls, post cards and letters demanding the impeachment of the President.

A significant portion of these messages contain only the words: "Impeach Nixon" or "Impeach the President." No reasons are given, no charges specified.

Over 2,000 messages received in this office reflect deep concern and strong emotional feelings on the part of the senders. People are disturbed. Yet, not one out of the 2,000 addresses itself to the real problems and practical aspects of an official impeachment action. Congress must face these problems and people need to understand what is being done and why.

No responsible member of Congress is attempting to promote an impeachment proceeding, nor is he trying to avoid one. Catastrophic as it might be, if impeachment proceedings are legitimately warranted, these members will have no reluctance to initiate them. However, the responsible members insist, that any impeachment proceedings be held in accordance with our Constitution and laws.

Many congressmen believe that the people demanding impeachment do not really understand the national consequences of a formal impeachment action. Do most people really want to impeach the President of the United States? Or, is the cry of "impeachment" really a manifestation of frustration because people have a gut feeling that their President has not been completely honest with them? And, furthermore, do they feel that no one is officially doing anything about it?

Congressmen are reading their mail! A preponderance of the letters are not the type usually received in a congressional office. These are not the usual form letters, special-interest mail, petitions, and letters from persons who constantly correspond on political matters.

The majority of the mail is coming from people who have never written an elected official before. The letters reflect very troubled emotions of the writers. Almost every one reveals deep feelings of anger, hurt, disappointment and sorrow. Only a very few make references to political parties. The feelings reflected are personal rather than political.

In the House of Representatives, only 35 members (out of 435) have formally introduced impeachment resolutions. None of the resolutions contains the necessary bill of particulars required—by law—to execute formal impeachment proceedings. The prime purpose of these resolutions appears to be for personal and political gain. They serve as vehicles for some members to make impassioned floor speeches and to garner headlines.

Some citizens apparently do not fully understand the involvement and effects of a formal impeachment procedure. For example, an impeachment proceeding is a trial—not at all unlike a criminal trial in a court of law. In such a proceeding one must produce specific charges, specific elements of proof, sworn testimony from eye witnesses and other legally acceptable evidence.

While many citizens and members of Congress suspect that the President may have committed certain illegal acts, formal impeachment proceeding cannot be held until such time as the necessary legal evidence is developed by investigative agencies. While the emotional feelings of each may be very strong, feelings alone are not grounds for impeachment. The national press, with heavy daily coverage, keep these emotions at a high level.

However, everyone must stop to consider that TV, radio and other press reports are instantaneous impressions of observers. The observer, or reporter, is more interested in the momentary emotions of people than in the legal and constitutional rights of the individual concerned. The slow-but-sure and fair tact of a prodding investigation does not make good news copy.

Congressional consideration of a formal impeachment action must take into consideration other factors. For example, a formal impeachment proceeding—whether successful or not—would be a catastrophe for the United States.

All three branches of the government virtually would be paralyzed for a period of three to six months. The executive branch would be out of action because the President would be on trial. The chief justice of the Supreme Court would be tied up as presiding judge. The House of Representatives would be the prosecutor and the Senate would be the jury. Our nation would be leaderless.

Foreign policy and international relations could become chaotic. Economic and monetary exchange problems could throw the international market completely out of balance. Without an active leader, this nation

would be in a very poor position to react to vital international situations, such as the recent Middle East conflict.

Some members of Congress, this writer included, believe that the massive cry for impeachment is really a call for action. In other words, people are saying: "Do something—now!" They are tired of the never-ending press reports detailing alleged wrong-doers in our government. They can see very little in the way of official corrective action.

Something is being officially done. Furthermore, it is being done at the fastest possible pace, consistent with fairness and justice. Grand juries are at work, the House Judiciary Committee is actively investigating, a Senate investigative committee is at work, a new special prosecutor has been appointed and our Justice Department is still intact.

All of these investigative processes are slow. The people involved are forbidden, by law, from making their work public before it is completed. Their work is meticulous and involves a multitude of details. Each of these investigative agencies is working independent of each other, thereby providing a check system. All are legal and all work within the dictates of our national heritage and our system of justice.

I think Will Rogers may have had the answer when he said, "This country is not where it is today on account of any one man. It is here on account of the real common sense of the Big Normal Majority."

BAN THE HANDGUN—II

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. BINGHAM. Mr. Speaker, today's edition of the New York Times contains a story describing a shooting which occurred in the Manhattan Criminal Court building. This shocking story illustrates the dangerous consequences of widely available handguns, and underlines the importance of establishing strict gun controls. Without such restrictions, easy access to these deadly weapons will continue to lead to such killings and maimings as the following:

DEFENDANT SHOOTS COMPLAINANT, THEN WOUNDS HIMSELF IN COURT

(By Arnold H. Lubasch)

A 39-year-old defendant critically wounded a woman and apparently shot himself in the head with a .22-caliber revolver in Manhattan Criminal Court yesterday as the presiding judge ducked under the bench and screaming spectators scurried for cover in the crowded courtroom.

The gun-wielding man was identified as William Spruill, a Bronx mechanic who was in court for arraignment on a complaint by Lois Ann Lockhart, a legal secretary who charged that he had threatened to kill her last month unless she resumed their relationship.

The man and the woman were sitting together in the last row of the courtroom at 12:30 P.M., waiting for him to be arraigned, according to eyewitnesses, when Mr. Spruill pulled out a long-barreled gray revolver and fired at least three shots hitting Miss Lockhart in the head twice and himself once.

In another courthouse shooting yesterday a deputy police inspector suffered a slight head wound when he stepped off an elevator in the lobby of a court and office building in lower Manhattan and was struck by a stray bullet fired by one of two men in a tenant dispute.

In the shooting in which the two persons were wounded, a .32-caliber pistol was found in Miss Lockhart's handbag at Beekman Downtown Hospital, according to the District Attorney's office. Both Mr. Spruill and Miss Lockhart were reported in critical condition.

Judge Richard A. Brown, who was the city's legislative representative in Albany until Mayor Lindsay appointed him to the Criminal Court bench on Oct. 1, provided an eyewitness account of the shooting in his ground-floor courtroom at 100 Centre Street.

"I saw a man who stood up in the back of the courtroom and pointed a silver-colored gun down at a woman beside," Judge Brown said.

"He whipped out a revolver and pointed the revolver at the woman and fired at her," the judge recalled, "and after he fired at the woman, he raised the gun toward the rest of the courtroom, and at that point I went under the bench."

TWO MORE SHOTS HEARD

The short, affable, 41-year-old judge said that he heard two more shots, apparently fired by a policeman, while he remained lying face down on the floor in his black robes under the bench for two or three minutes.

"After the shooting," Judge Brown continued, "the court was in some trouble—a lot of people milling around and running around. And, as I say, I was under the bench during most of that time until the court officers took me out. We recessed the court."

The judge noted that several court officers and policemen had been present in the arraignment courtroom which contained about 100 people, but there was no procedure to search people who entered because courtroom searches were conducted only under special circumstances.

"Security in the courtroom is a difficult problem that a lot of us are going to have to review," Judge Brown added.

"As the Mayor's legislative assistant," he remarked after the shooting, "I have come to experience a fair amount of combat, but not like this."

Judge Brown said that he "was slightly shaken" by the shooting, but that he was resuming the arraignment court as usual later in the afternoon, although the proceedings were moved to a nearby courtroom while the police studied the scene of the shooting.

Robert L. Ferraro, a lawyer with offices at 401 Broadway, said he had been in the adjoining clerk's office with William Raines, a court officer, when the shots were fired.

"Gee, that sounds like firecrackers," Mr. Ferraro recalled having said to the court officer.

When they dashed into the courtroom, the lawyer added, they saw several policemen with drawn guns swarming toward the gunman in the back row near a six-foot-high wooden barrier.

The court officer quickly hoisted himself over the wooden barrier and kicked the revolver out of the wounded gunman's hand, according to Mr. Ferraro, who characterized the courtroom scene as chaotic.

Mr. Ferraro described the gunman as a tall, thin, drably dressed man with close-cropped hair. He was slumped on the courtroom floor in a pool of blood.

The lawyer added that the wounded woman remained leaning against the wooden seat, clutching a scarf to stem the flow of blood from behind her left ear, until she was removed in a wheel chair from a nearby courtroom.

The District Attorney's office said that the wounded woman was 32 years old, lived at 1696 Davidson Avenue in the Bronx and had complained to the Seventh Police Precinct that the defendant had accosted her on the Lower East Side on Oct. 31, forcing her into a car at knife-point and threatening her life if she failed to resume a close relationship with him.

The defendant, whose address was given as 422 East 169th Street, the Bronx, was originally charged with reckless endangerment and directed to appear for yesterday's arraignment.

Shortly before the shooting, Assistant District Attorney Warren Murray listened to Miss Lockhart's account in an adjoining complaint room and raised the reckless endangerment misdemeanor to felony charges of kidnapping, menacing and possession of a weapon.

In the other shooting, a .32-caliber bullet grazed the left cheek and ear of Deputy Inspector Charles K. Sibon, the director of police personnel services, as he left his offices in the New York Life Building, 346 Broadway, at Catherine Lane, shortly after 1:30 P.M.

The police said the shot had been fired by 35-year-old Curtis Brown of 336 West 95th Street in an argument with Norman Wallace, 42, of the same address. They were to appear in Criminal Court, just off the lobby, in a harassment proceeding stemming from a tenant dispute.

Mr. Brown, seized without a struggle by policemen with the inspector, was later booked for attempted murder, assault and possession of a gun. Inspector Sibon, 50, was held overnight at Beekman Downtown Hospital, where his condition was listed as good.

PLOWSHARE AND THE LIVER EATERS

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. HOSMER. Mr. Speaker, there follows my remarks made Monday to the Civil Explosive Section of the American Nuclear Society during its annual meeting yesterday in San Francisco:

REMARKS BY REPRESENTATIVE CRAIG HOSMER

Despite the benevolent hopes with which people such as Edward Teller, Jerry Johnson, Glenn Werth and myself regard peaceful nuclear devices, due to some regrettable lack of communication, a vocal minority's attitude toward them can be summed up by the slogan: "Impeach Plowshare." You saw them in action at Rio Blanco and watched the disappointment on their faces when the sky didn't fall in after the shot. However, all that may change considerably during the next few months after the citizens of the U.S.A. have struggled through a cold, dark, miserable, energy short winter. It should become apparent by then that had we embraced Plowshare early in the game, our lot today with respect to energy and other scarce natural resources would be considerably better.

In a 1968 speech here in San Francisco at the Commonwealth Club, I said that the technical problems involved in the applications of peaceful nuclear explosives are straightforward. They require research and development, but they do not require any new inventions. As a matter of fact, R&D at the Livermore and Los Alamos Laboratories is steadily giving us cleaner, more flexible and less radioactive Plowshare explosives. Meanwhile, several successful underground experiments have given American industry a feel for the Plowshare business and the know-how it needs to proceed with it on a grand scale. It is abundantly clear that the forces blocking Plowshare are not technical ones. On the contrary, our ultimate ability to bring the benefits of Plowshare to the people promised in Article V of the Nuclear Non-Proliferation Treaty depends primarily on the solution of a maze of real and imagined problems primarily emotional in nature.

Some of these stem from the timidity with which the Limited Test Ban of 1964 is being interpreted—an interpretation which I believe was never intended, but which has resulted in a virtual ban on the use of nuclear explosives for large excavation projects. The interpretation originated in our own State Department and at the Arms Control and Disarmament Agency. It holds that you cannot release even one single radioactive atom beyond your own national boundaries. As early as 1969 the proposal for a joint U.S.-Australian Plowshare effort to create a harbor at Cape Keravdren foundered upon it and later the Panama Canal nuclear study too. In that case conventional construction costs along the Sasardi-Morti alternate route exceed $3 billion, but with nuclear explosives they would run out at less than one third that amount.

It doesn't make sense to deny mankind in general the peaceful benefits of nuclear explosives, and to deny them particularly to the less advanced countries who need them so badly. This is an area where cost-versus-benefit and risk-versus-return ratios drastically favor their use. Talks with the Soviets and other conversations last year at Geneva IV indicated to me that Moscow's attitude in this area is quite relaxed compared to our own—and I hope that it is contagious, because the globe is speckled with places where a little geographic cosmetology by Plowshare could do wonders for people.

For example:

Great hydropower resources and favorable climate changes could result in Egypt by building a canal from the Mediterranean sea to the great Quattara Depression which lies 200 feet below sea level.

Many coastal areas of South America, Africa and Australia are awaiting economic development if only harbor facilities can be excavated with nuclear explosives.

In South America the Hudson Institute has conceived a remarkable plan to develop half a continent which lies in the vast, rich Amazon Valley. It is based on the availability of Plowshare devices to build the dams and waterways and do the other extensive geological face-lifting required.

The Thai businessman K. Y. Chow has a plan for industrial and maritime development centering around a 40-mile canal through the Kra Peninsula. It would create a passageway for shipping between the Indian Ocean and the South China Sea. The Straits of Malacca could be bypassed.

Mr. Chow figures his conventional costs at $5.8 billion, but lowers that to $3.8 billion if nuclear explosives can be made available. In my view, that $2 billion difference is probably the difference between no Kra Canal at all and one of the most imaginative and politically stabilizing projects that has ever been conceived for the benefit of Southeast Asia.

Such potentialities as these are the stuff that Plowshares dreams are made of. Perhaps someday they will become realities. I recall a promise made by President Lyndon Johnson on June 12, 1968, just after the Non-Proliferation Treaty was negotiated. It seemed to legitimize such hopes and aspirations in these words spoken at the United Nations:

"We shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty partners—without delay and under the treaty's provision—the benefits of such explosions."

But, despite these bold words, today, five years later, not only are timid interpretations of the Non-Proliferation Treaty a roadblock but disarming talk about making the Limited Test Ban Treaty into a total test ban treaty also paralyzes progress in this area.

When Mr. Chow visited me recently about his Kra Project I could suggest only a couple of avenues for him to pursue to get things off dead center:

First, to contact the Russians—maybe if they start showing an interest in his project, the knee jerk response on our side will be to do the same. And,

Second, in anticipation of the five year review conference of the Non-Proliferation Treaty scheduled next year in Geneva, to kick up a storm amongst the non-nuclear nations who could immensely benefit from Plowshare. Maybe the have nots can exert enough pressure to see that Lyndon's promises are kept.

For, at the present moment even things with Plowshare underneath the surface of the earth and out of sight are not remarkably better than they are in the excavation area I just talked about. I almost hated to come here today for that reason. The only thought that sustains me is the old idea that things may be blackest just before the dawn.

But for the moment the nice start we made toward releasing the 3.7 trillion cubic feet of natural gas, worth upward from $100 billion, cemented in hard, unproducible shales in the Rocky Mountain area alone, seems not to have unleashed a Plowshare drilling boom. As a matter of fact, in gas stimulation we progressed with continuing technical success and safety from Gas Buggy to Rulison and then on to Rio Blanco. And our constant companions along the way have been nuclear nervous nellies and ecological purists, ever raging louder and more hysterical against Plowshare natural gas stimulation which could bring us fire to heat and light our homes and run our factories.

As a matter of fact, when I speak of fires I recall to you that throughout history it has been one of man's greatest boons. And, in our times, the invention of nuclear energy and its manifold uses for the benefit of mankind fully equals the importance of fire.

Now you will recall that fire was given to man as a great gift by the god Prometheus, who loved man.

But the leader of the gods, Zeus, hated man. He became enraged with Prometheus over this act of kindness to humans.

As punishment Zeus had Prometheus tied on a mountain top where vultures ate out his liver.

And, so it is today: the liver eaters are at it again!

But events are changing around us and, just as they eventually calmed the liver eaters with respect to fire, so may they do it regarding nuclear as well—And soon, we hope.

For example, let us look at Rio Blanco. On May 17th, three simultaneous 30 KT blasts in gas-bearing sandstone were triggered, 1¼ miles deep. The surface reaction was so mild that only around $31,000 in claims resulted. After cool down and reentry on October 25th a two hour flow test produced a whopping 400,000 cubic feet of gas from a five inch hole.

Just about now a 10 day flow test is in progress and such small amounts of tritiated water as may come up with it, will be reinjected in a nearby disposal well for permanent isolation from the biosphere. The liver eaters have made an issue about this tritiated water, estimating 55,000 acre feet of it will be brought up in the process of recovering those trillions of cubic feet of natural gas in the Green River, Piceance and Uinta Basin formations. Actually, this is a niggardly amount of water, even in the arid West where I come from. It will emerge during a 100-year period from an estimated 5,680 stimulation wells. Its capture, disposal and isolation in deep impermeable and static formations is a nonproblem. It will be confined there for 1,000's of years. Contrast that to the 12.3 year half-life of tritium, and it means that the decay of radioactivity in the tritiated water to harmless levels will occur over the comparatively short span of about 60 years.

When the flow tests prove up this well, and I am certain they will, there should be ample incentive for Austral Oil, Continental Oil, Equity Oil, Cergeonuclear, El Paso Natural Gas and others to develop the field commercially. They and their associates deserve our gratitude for pioneering this splendid work. They did it back when the price of gas was 15 or 20 cents per million BTU's. But now more enlightened Federal Power Commission pricing policies that bring better returns are starting to make it worthwhile to carry through on these pioneering efforts in natural gas stimulation.

Shortages and higher prices make the same thing true in several other potential areas of Plowshare application.

Copper is scarce and prices are rising—and along with that the AEC, Interior Department and Kennecott Copper are taking another look at Project Sloop which would leach copper by chemical solutions pumped into underground ores broken up by powerful, peaceful and safe to handle nuclear explosives.

There is even talk around of the possibility of getting Plowshare gold. With the price up from $35 an ounce to around $100, and Livermore Laboratory optimistic about its work on *in situ* leaching techniques for gold recovery, I would not be surprised to hear of someone soon wanting to move in this direction. Just think of it. You pump the solution down, let it dissolve the yellow stuff out and pump it back up. That is what I would call getting your money out of a pump—which, of course, is where many people's wives think it comes from anyway.

Geologists tell us that there still remains more gold in place than has even been mined in the entire history of the United States, including the California and Alaska gold rushes. What is left, I'm told, amounts at least to $40 or $50 billion worth of it—quite a treasure.

There are many other valuable minerals—silver, molybdenum, uranium, just to name a few—to which the same *in situ* leaching techniques are applicable—if only we determine to move ahead aggressively with Plowshare.

The recovery of oil from shale probably will not be accomplished by leaching techniques, but by *in situ* retoring. Here, too, it is unlikely that much progress can ever be made without a combination of Plowshare and hydrofracturing techniques to break the stuff up underground so it can be retorted there. A fire would be started in the fractured material and kept going by pumping in air. The heat produced will enhance the permeability and porosity of the shale and raise the viscosity of the oil sufficiently to allow it to escape and be brought to the surface.

Two very compelling esthetic and ecological reasons exist to point researchers toward the idea of *in situ* shale oil recovery in preference to strip mining and processing it on the surface.

One is the very extensive damage strip mining can do unless properly policed wherever practiced for whatever product. The other is that, in the case of removing oil from shale, the volume of the throw away by-product is about 25% greater than the shale itself before it is processed. It was expanded to provide passageways for the oil to escape. On the surface that stuff would present a monumental disposal problem. In place, within a Plowshare cavity, it would never be noticed.

Mention also should be made of the recent enactment of legislation permitting geothermal leasing on public lands. It opens up a new vista for Plowshare enthusiasts.

Geologic formations where geothermal heat lies close to the surface and water is available to percolate into them naturally are few and far between. Most geothermal areas of the world are dry and many of them are exceedingly hot. It is not difficult to imagine the idea of creating Plowshare cavities into which water can be induced and steam removed and put to work driving the turbines of large electric generators.

In listing these various possibilities for peaceful, productive Plowshare applications

I am plowing old ground with most of this audience. I suppose I do so mostly to acquaint people like Mr. Chow as well as ordinary citizens with it, hoping he and they will respond by putting on the pressure for policies which will approve and promote the use of peaceful nuclear explosives and which will cause to be abandoned the policy we now follow which seems to be to try to disinvent them with treaties.

We need public approval and public support to get us off dead center. With such factors I believe we can start to move because within the last year or two several events have taken place in the United States pointing toward Plowshare and starting things going for us that we never had before.

For example:

The terrible shortage of energy in all forms which gives us a compelling reason to domesticize our energy load growth.

Our awesome balance of payments deficits which give us every reason to avoid any possible imports of fuels or raw materials; and

The current events in the Mideast which starkly impress upon us the strategic national defense vulnerabilities consequent from dependence upon the whims, avarice or hostility of unpredictable, but petroleum rich foreign countries.

At this point you might say, "well, isn't all that enough to make the Wagonwheel turn and transform all these other things I've talked about from pie in the sky to Plowshare heaven on earth?" Unfortunately, the answer is "no." There are many little and medium size roadblocks that have to be removed first. Some of them are relatively simple and straightforward—like developing the AEC Plowshare store and stocking its shelves with a modest line of safe, economical and convenient nuclear devices.

These adjectives, perhaps, are not normally used as terms to describe what amounts to nuclear bombs. But the pertinence of such semantics is demonstrable—Listen—

First, safety—this comes about from the predictability of effects and the demonstrated know-how in handling Plowshare devices we have acquired after over 300 underground nuclear test explosions already fired at the Nevada test site and elsewhere.

Second, economy—where else can you buy the explosive effect of a whole ton of TNT for about 30 cents?

Third, convenience—this is evidenced by imagining how else you could physically emplace 30,000 tons of TNT a mile deep at the bottom of a 12-inch hole.

In that context I think it is both timely and possible to talk in a rational way about using this safe, economical and convenient package which will hurt nobody but can benefit many millions of people.

It is just as simple as that and let's not let the liver eaters spook us about it.

Aside from quieting their harassment and taking away the smaller roadblocks I mentioned, there still remain three major obstacles in the path of Plowshare to be removed.

One is to spawn some rather general enthusiasm for it amongst the business community and particularly amongst the investment bankers whose purse strings must loosen in appropriate and timely amounts. The overall price and supply factors affecting raw materials and energy sources I mentioned earlier will help with that effort. Also the President's plan for Project Independence by 1980 from foreign energy sources will be a boon. I talked with him about it at the White House last Wednesday morning before he announced it publicly. And, at this meeting there was talk of expediting the domesticization of U.S. energy resources by R&D support and other appropriate means. All that will help. However, we must remember that in the end, the success of any program, including Plowshare, will depend on the enthusiasm of those who take part in it. Extra effort by the ANS and AIF to develop and sustain such enthusiasm will be needed.

Then the healthy climate of Plowshare support and approval it creates will enable us to get the other two obstacles out of the way.

The first is simple—to set up a proper legal structure for a commercial Plowshare industry. It will set the rules and criteria for licensing and conducting projects in a businesslike manner with due regard for public health and safety. In the past I have introduced bills which would do these things, the Joint Committee has held hearings on them, but has not passed them into law. This year I have not yet put this legislation in the hopper, because I first wanted to see more support for it. The way things are going that may be in hand by the time Congress returns to work next January. I hope so. We'll see.

The last obstacle is a somewhat similar one. It is to get the AEC to establish regulations and procedures to license Plowshare produced products—natural gas and anything else—for public use. I don't think this will be too difficult. Right now it is more or less in the "which came first category, the chicken or the egg" category. Industry seems to feel that the AEC should act on its own initiative while the AEC believes there is no reason to set up the procedures and print license forms until industry asks for them. I suppose, when Rio Blanco's success is established, this will be resolved by industry taking the initiative and doing the asking. In any event, industry and government have always worked closely together in the program and I do not foresee any deterioration of the relationship.

Today I have made no effort to conceal or gloss over the difficulties that have to be worked away before we can avail ourselves of the bountiful benefits of peaceful nuclear explosives. But I do know that the kind of men I speak to today have the strength, wisdom and determination it takes to work them away and I see the forces of history starting to coalesce on their side.

Thus, I look forward confidently to the early development of a healthy and prosperous Plowshare industry and I thank you for allowing me the proud privilege of playing a small part in it.

MADAM MARIA JERITZA SEERY—MY DEAR AND DISTINGUISHED FRIEND

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. RODINO. Mr. Speaker, so long as there is a world of music, the echo of Madame Maria Jeritza's glorious voice will continue to resound. Her powerful style, her tremendous sense of drama, the personality and interpretation which she has brought to her roles, clearly distinguish this renowned opera star as one of the outstanding divas of our time.

People today follow Madam Jeritza with heartfelt adoration and deep awe. It is often said when she enters the Lincoln Center complex, an added glow reflects the eminence of her presence. While audiences are no longer blessed with the privilege of viewing her stage performances, within the world of art and music, Madam Jeritza remains a most inspiring spirit.

Madam Jeritza is indeed a moving figure—both in her ceaseless dedication to keep alive the world of music and culture through a concentrated appreciation of the opera experience, and in her selfless works to bring hope, freedom and peace to men, women, and children throughout the world. She has sheltered political refugees. She has reached her hand behind the Iron Curtain to support convents and churches trying desperately to maintain their existence. She alone was responsible for rebuilding the Cathedral of St. Stephens in her native Vienna after the ravages of World War II.

As an American citizen, she opened up her home as a convalescent center for wounded soldiers during World War II. She has received the highest award ever bestowed by the American Red Cross. The "Golden Ring of Vienna," a recognition given only to Presidents Kennedy and Eisenhower before her, is shared by this remarkable woman. Known to the greats of the world, Cardinals Spellman and Cooke have been numbered among her friends, and she has been honored by Pope Pius X, Pope Pius XII, Pope John XXIII, and Pope Paul VI for her intense dedication to worldwide charities.

Most recently, on Sunday, evening, November 3 (in commemoration of the 35th anniversary of the Bayley Seton League of New Jersey's Seton Hall University), a woman was singled out whose life embodied all the qualities and objectives of this service organization's ideals. And, not surprisingly, Madam Jeritza was selected as "The Distinguished Lady of the Year." On hand for the special occasion were such important church, community, and educational leaders as Archbishop Boland, Bishop Dougherty, Monsignor Fahy, Monsignor Kelley, Monsignor Ryan, Monsignor Gilhooly, and Father Murphy.

My wife, Ann, my family, and I deeply cherish Madam Jeritza's friendship, warmth, and great affection. It was quite a privilege to share in this most deserved tribute to so dynmaic and vital a distinguished lady 10 days ago. And, it is my hope that Madam Jeritza will continue to inspire, and to bring joy and inspiration to the citizens of our many lands for a long time to come.

PEANUT PRICE-SUPPORT PROGRAMS

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. KUYKENDALL. Mr. Speaker, one of the most knowledgeable critics of the peanut program, as it must be operated under long-obsolete laws, is the overseer Congress itself relies on—the General Accounting Office.

The GAO has now twice recommended that a program be developed to control peanut production more effectively. In April of this year the GAO made a report to the Congress titled "Need Intensifies To Amend Legislation To Reduce Government Losses on the Peanut Price-Support Program."

The title is an understatement.

The report points out that the law requires a minimum national acreage allotment of no less than 1,610,000 acres—

but that since 1955, the amount of peanuts needed to satisfy commercial demand could have been produced on fewer than 1,610,000 acres.

It points out that advances in farm technology have resulted in far greater yields per acre than were anticipated when the allotment was established. In fact, the average yield has almost doubled.

The GAO report points out that 5 years ago it presented findings and recommendations that revisions be made in the law governing the peanut price support program—and at that time the GAO said changes were needed to forestall the need for even more extensive changes at some future time.

The Congress did not respond. And now we are at that time when even more extensive changes are indeed needed.

Under the present program, the Commodity Credit Corporation has to buy more and more surplus peanuts, then sell them at prices significantly less than the costs of buying them. The U.S. Department of Agriculture projects losses from 1973 to 1977 at $537 million, a 92-percent increase over the losses for the 5 years ended in 1971.

All this and more is included by the GAO in its report to the Congress last April. It is time to heed this report—time to enact legislation that would provide peanut growers with incentive for efficient, high-production farming at greatly reduced cost to the taxpayers of this country.

CRIME CONTROL NO. 8

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. LANDGREBE. Mr. Speaker, I wish to call the attention of my colleagues to a news story which appeared in the Grand Rapids, Mich., Press, and which illustrates what private citizens can do to control crime when the right to own guns is respected by the Government:

MODERN-DAY WILD BILL IN CAR GETS HIS MEN

(By Linda Hendershot)

Wild Bill didn't have a horse Sunday, but that didn't stop him from getting his man.

William Patterson, owner of Wild Bill's Western Store, 5564 West River Rd. NE, returned from a northern hunting trip about 5:30 p.m. and drove by his store. He spotted an unfamiliar car backed up to the business and stopped to take a look.

No one was near the auto, but two men walked out from behind a travel trailer Patterson had parked near the store. The pair told him they were looking for a deer hunting buddy, but he got their license number before they left.

A quick check of the trailer revealed a smashed window, Patterson said, and he and his hunting partner, Paul Howard, gave chase in Wild Bill's sport van.

They caught up with the auto near the US131 freeway entrance, but couldn't get the occupants to stop. Wild Bill said the driver ignored their signals and flashing lights.

Howard apparently convinced the two to stop by pointing a .12-gauge shotgun out the window. "The bird dog was lying on top of the gun case and we really had a time," Patterson said.

The car finally pulled into a service station and Howard went to call sheriff's deputies while Wild Bill held the two at bay with the shotgun.

The driver started the auto, however, turning the wheel toward Patterson. He jumped, but was brushed by the vehicle. He tried to get the keys through the driver's window, but the man grabbed his arm.

"I broke loose and shot at one tire." Patterson said. The auto continued around the station and Wild Bill fired at another tire when the car came back from the station's rear. "It was only fine birdshot and it didn't blow the tire," Wild Bill said.

Grand Rapids Police Department Richard Saur, alerted by a radio broadcast describing the men and their car, spotted the vehicle about 6:15 p.m., heading south on N. Division Ave. near Lyon St.

Saur asked for help and followed the auto, stopping it when other officers arrived. The two 41-year-old occupants, one from Florida and the other from Mississippi, were arrested. Their auto, the left rear tire peppered with shotgun pellets and losing air, was impounded.

Detective Jack Christensen said the two would be charged with attempted burglary and possibly with assault.

"The only thing that could have made it wilder is if I would have been on a horse," Patterson said.

He is president of the Michigan Trap Shooting Association and is a past skeet and trap shooting champion, both state and local.

DRUG ABUSE PREVENTION WEEK

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. YOUNG of Alaska. Mr. Speaker, Drug Abuse Prevention Week was designated just recently, in an effort to bring us up to date on the reality of the problems our country faces with drug abuse and to inspire us all to greater efforts to overcome them.

One of the saddest experiences any of us can have is the realization that our own children are seriously threatened by the widespread sale of hard drugs. Drug abuse is a very real problem in Alaska, and I am very disturbed over its increase in the last few years.

I recently received a letter from a teenager in Anchorage, Alaska, who was concerned about the possible discontinuance of a methadone program in which he had been enrolled. Because I believe his experiences are those of many young people today, and it is important that these young people be heard in their requests for help, I include this letter in the RECORD:

DRUG PROGRAM

I am a patient at Langdon Psychiatric Clinic. I am with the Drug Program. When I was 17 years old I fell into drugs and got into heroin. I lived in southern California when all of my drug problems started. I never found help or anybody that would help me out with my drug problem. I was constantly going to jail for theft. My thefts were to pay for drugs. I come from a decent family. I shouldn't be that kind of person from my background.

I have a very big problem with reading and writing. I came to Alaska with my parents five years ago. I stayed away from drugs at first because I didn't know anyone. I worked with my father and made a fair wage. I wanted to do something with my money because for so long everything had gone for drugs. Eventually though, I fell back into the drug scene. All my money again went to drugs. Before this I took care of myself. My family started noticing that I was falling off. I was in the drug scene here for two years.

I had a friend that told me about the Langdon Clinic. I came and talked to Dr. Langdon and he understood my problem and took me into the drug program. The drug program helped me so much that it gave me a change of life. They are helping me with my reading problem. I've never felt this good since before I took heroin.

I am finally learning to read. They give me so much of their time which they don't really have to give, but they really want to help me.

If this program is taken over by someone else I will feel that I don't know a soul. I finally got to know and trust these people. Without the clinic's help I will lose my reading appointments, and that is what I need to make my life go.

I hope you consider my problem and keep the drug program at the Langdon Clinic.

My teacher is writing this for me because I'm not that good at reading or writing yet. I have a third grade reading level. When I came here I could not read anything. I love these people and have much respect for them.

Sincerely,

PATIENT No. 3693.

OUR LADY OF THE VALLEY CENTENNIAL

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. MINISH. Mr. Speaker, last weekend I was privileged to attend an observance of the 100th anniversary of the founding of Our Lady of the Valley Church in Orange, N.J.

The clergy and laity of Our Lady of the Valley are justifiably proud of the work they and their forebears have performed to make their parish one of the most outstanding in the country.

At this point, I insert in the RECORD a history of Our Lady of the Valley Church:

OUR LADY OF THE VALLEY CENTENNIAL, NOVEMBER 10, 1973

Saturday's concelebrated Mass of Thanksgiving at 11 o'clock in Our Lady of the Valley Church in Orange will bring to a close the year-long centennial celebration in the parish. Following the Mass which will be celebrated by the pastor, Rev. Francis J. Finn, former pastor Monsignor John J. Feeley, Rev. Thomas J. O'Leary, Rev. Francis F. Boland, and Rev. Joseph T. Paterek, a luncheon will be served in the high school gymnasium. Archbishop Thomas A. Boland will deliver the homily at the Mass which will be attended by church and civic dignitaries, and many of the former priests, sisters and parishioners.

The parish of Our Lady of the Valley was organized on September 8, 1873 by its first pastor, Rev. G. A. Tassallo. Services were held in what had been the Orange Valley Congregationist Church, a small but elegant stone structure on the corner of Valley and Nassau Streets. The Rev. James A. Walsh and Rev. Walter M. Fleming succeeded to the pastorate in 1874 and 1877, respectively, but it was not until the advent of Rev. William M. Callan in 1879 that constructive steps

were taken along educational lines. Through Father Callan's efforts the Sisters of Saint Joseph of Chestnut Hill took up residence in the area and opened an elementary school which has continued in operation since 1882.

The present grammar school was built during the pastorate of Rev. Thomas A. Wallace but its original function was to provide recreational pursuits for the youth of the parish, and the building was called "The Lyceum". Basketball and bowling facilities were provided and, in addition, plays were presented by dramatic groups for many years. As the parish grew and flourished Rev. John F. Boylan took over pastoral duties in 1903 and it was during his tenure that the present Church and Rectory were built. Twelve Sisters of Saint Joseph were in residence by this time and the school enrollment had reached an unprecedented six hundred pupils.

Father Boylan was succeeded in 1928 by Rev. James A. Smith who immediately set to work on building a new school complex which resulted in the opening of the present High School in September, 1929. The total number of high school graduates from Our Lady of the Valley now number well over 3,000. Father Smith left in 1938 and was replaced by Father Michael A. Mechler, later a Monsignor, and the latter first enterprise was to provide a suitable dwelling for the faithful Sisters of Saint Joseph. The present convent was completed and occupied in November, 1939, after formal cornerstone ceremonies presided over by Archbishop Boland.

Continuing his great work, Monsignor Mechler had the Church interior redecorated with beautiful murals commemorating the heroism of the young men of the parish who served in World War II and those who gave their lives in the historic struggle. A new white Carrara marble pulpit, designed by Professor Roggi of Seton Hall, was installed and the new renovated Church was subsequently consecrated by the late Bishop James McNulty. The same year—1948—the Diamond Jubilee celebration was held with Bishop McNulty as celebrant at the Mass. In 1952 new carillon chimes were installed in the church belfry in memory of Mrs. Anne Flaherty, and, in 1954, the High School celebrated its 25th year with appropriate ceremonies.

Monsignor Mechler died in 1955 and his successor, Rev. George Strack, served only five weeks before being called to his eternal reward. The Rev. John J. Feeley, executive vice-president of Seton Hall University, then assumed the pastorate and inaugurated a series of improvements which included a new kitchen and cafeteria in the high school, conversion from coal to oil heat in both the church and school, the introduction of varsity football, a band, and cheerleaders in the high school, and the erection of a modern gymnasium behind the elementary school building.

Father Feeley was subsequently named Papal Chamberlain and, later, Domestic Prelate, with the title Right Reverend Monsignor. It was during this period that Mother Rose Josephine, who had spent twenty-five fruitful years in the Valley, was transferred to Philadelphia, being succeeded by Mother Mary Thomas.

In March, 1966 the present pastor, Rev. Francis J. Finn, replaced Monsignor Feeley. Father Finn has served 25 years at Seton Hall Preparatory School as a teacher of Latin and Religion, as gymnasium procurator, and the athletic director. He had also served as assistant director of the Divinity School and as a Pro-Synodal Judge in the Marriage Tribunal. In recognition of his extensive background in education, Father Finn served on the Archdiocesan Board of Education for three years and is presently a trustee and President of the Board of Trustees of the Orange Public Library.

Father Finn's tenure has shown a remarkable reduction of almost $600,000 in the parish debt, extensive renovations to the church roof, a repainting of the church interior, redesign of the side altar into a Chapel of the Blessed Sacrament, an increase in the capacity and tone of the church organ, air-conditioning of the high school auditorium and cafeteria, a new school library, new science laboratories, audio-visual aids for both elementary and secondary schools, improvement of the entire elementary school area and equipment, and the addition of numerous new high school courses.

Mother John Eudes replaced Mother Mary Thomas as superior in 1964 and she, in turn, was replaced in 1968 by Mother Louis Mary. Sister John Anita, present high school principal, took over as superior in 1971, being succeeded this year by Sister Charles Immaculate.

Today, Our Lady of the Valley Church serves some 1600 families in a one square mile area embracing Orange, West Orange and South Orange. Many former students return periodically for holy day services and for the many sports events and reunions at the high school. A total education program includes, in addition to the elementary and secondary schools, a pre-school age establishment for ages 3½ to 6, CCD classes for public school students, adult discussion clubs, pre-Cana, active Rosary Altar and Holy Names Societies, a high school Booster Club, an annual high school play, ecumenical encounters, a parish library, special Lenten lecture series, and the recent formation of a Religious Education Center under the direction of Rev. Charles J. Miller.

The Rev. Joseph T. Paterek is the senior curate, assisted by Rev. George D. Connolly and Father Miller. Father Connolly also serves as high school athletic director and all three curates are members of the high school Religion Department. In the past seven years three young women of the parish have entered the Convent, three men of the parish have been ordained, and three deacons have trained in the parish preparatory to being ordained.

MRS. ANNETTE GOLDMAN

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. BADILLO. Mr. Speaker, it is with great sadness that I call to the attention of our colleagues the death yesterday of Mrs. Annette Goldman, Superintendent of Community School District 19 in the East New York area of Brooklyn.

Mrs. Goldman was widely recognized both as an outstanding educator and educational administrator. She was constantly striving for improvement—for her schools, her community, and herself. At her death, she was enrolled in a doctoral program in urban studies at Fordham University.

Most recently, Mrs. Goldman led a thus-far unsuccessful effort of protest against an arbitrary and, in my judgment, unlawful requirement by the U.S. Office of Education that District 19 participated in a testing program as a condition precedent for receiving nearly $1 million in assistance under the Emergency School Assistance Act. Her courageous stand was backed fully by the president of the board of education and by the chancellor of the city school system.

Mrs. Goldman was appointed Superintendent of District 19 in January, 1972, after having served as Acting Superintendent for 15 months. Among the many innovations credited to her were the seven John F. Kennedy Centers, serving students from fourth grade through young adulthood with funded education in the performing arts, basic skills such as reading and mathematics, and special enrichment programs. A matter of very specal interest to me, she also initiated the district's first program in bilingual education.

I share the deep sense of loss felt by Mrs. Goldman's colleagues, her many friends and the children of District 19. Her leadership and inspiration will be missed.

ON ENVIRONMENTAL EDUCATION: WHAT ONE CONSERVATION CLUB CAN DO

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ROUSH. Mr. Speaker, a few weeks ago this body passed an extension to the Environmental Education Act of 1970. The debate on this bill called attention to the important role that education plays in developing an environmental ethic among young people so that they can carefully weigh the environmental impact of the actions they will take later in life.

One of the most important aspects of environmental education is outdoor education—the actual acquainting of students with the interrelationships of nature. The following article from "Hoosier Conservation," the publication of the Indiana Conservation Council, Inc., demonstrates the fine work of the Monroe Township Conservation Club in Delaware County, Ind., in the field of outdoor education of young people. The article follows:

SOMETHING EVERY CONSERVATION CLUB CAN DO FOR THE ENVIRONMENT

A few days ago, Joe Wright, the environmental education consultant for the Indiana Department of Public Instruction, sent us an article about the activities of one conservation club in the field of environmental education which he felt might serve as a model to other clubs.

We were especially delighted to receive it because the article dealt with the efforts of the Monroe Township Conservation Club, home club of ICCI District XII Director Charlie Holt. It seems that Joe has worked with the Monroe Township club for some time now in setting up teacher seminars and so forth, and he felt that the story of their success might serve as an inspiration to other clubs.

We wholeheartedly agree, and here is Joe's article:

"In a section of Delaware County, a small group of conservationists have joined together to plan activities and programs for improving conservation education practices. The Monroe Township Conservation Club has purchased approximately 40 acres and constructed a club house on the site which is used for meetings, outings, classes, and seminars. The 40 acres is also used effectively as an outdoor classroom for school classes and teacher workshops.

"Realizing that many teachers have not been prepared to teach environmental edu-

cation, the club visits the local schools and conducts conservation classes, shows environmental films, provides teachers with the latest teaching materials, and conducts in-service training programs.

"A major project of the club is to sponsor an Environmental Fair each school year. All elementary students are encouraged to participate. Teachers, parents, and conservationists are amazed at the amount of talent displayed in the many projects entered. The fair demonstrates to the public that young people are concerned and have the necessary energy and talents to produce solutions to many pollution problems.

"Because of this outstanding support, Cowan Schools have been encouraged to introduce environmental education concepts in all grade levels and curricula. This school district has also developed an excellent outdoor classroom and a special course dealing with man's interaction with his environment.

"Although Mr. Jack Cronin, chairman of the club's education committee, feels that his club is the most active one in Indiana, he believes other conservation clubs could accomplish just as much. During a recent visit with Jack, he commented, "There are clubs in Indiana which have many more resources than ours, and we need every club's involvement in helping the schools and youth of our state. Our club members feel the destiny of this country lies in the hands of our youth. If young people aren't educated properly about their environments, how can we expect them to be interested?" Funding for education projects is provided by the club through dues and by money making projects such as turkey shoots, skeet shooting, and other activities.

"The club is also affiliated with the National Wildlife Federation through their membership in the Indiana Conservation Council. Ranger Rick, National Wildlife, and International Wildlife, outstanding magazines published by the Federation, are provided to the students and staff of Cowan schools. Mr. Douglas Shock, biology teacher in Cowan schools, reports that he and his students enjoy all three environmental publications. "Those fellows are dedicated conservationists. They have enabled me to become a better teacher by equipping my classroom with magazines and other necessary materials needed to adequately teach ecology," remarked Mr. Shock during a recent visit to his classroom.

"Hopefully this article will stimulate other conservation clubs in Indiana to get actively involved in environmental education programs. The reward for doing this will be an environment fit for life and fit for living."

We hope so, too, Joe, and thank you for your article.

VOTES, NOT VOLUME

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. KUYKENDALL. Mr. Speaker, the Dallas Morning News has focused properly on one area of concern in the current clamor for the head of our President. I would like to share it with my colleagues, through the pages of the Congressional Record:

VOTES, NOT VOLUME

The people of the United States choose their president by vote. One year ago they chose Richard Nixon by one of the most overwhelming vote majorities in our history. That being the case, The News believes that their choice should not allow himself to be driven out of office by nothing more substantial than the volume of his critics' voices.

In this era of mass communications, ordinary citizens and politicans alike sometimes forget that the most important decisions of the Republic are supposed to be made by the people, not by the accumulated weight of headlines, press releases, network commentaries or self-interested speeches.

A democratic decision, made by the American voters in their millions, is a majestic event and one whose outcome should not be dismissed lightly by governmental insiders or nullified later by the uproar produced by professional critics.

Listen to the decibels of criticism cut through the waves of charges and denunciations against the President and you will find, The News believes, that none of the evidence yet produced justifies impeachment, let alone conviction.

But even if grounds for impeachment had been produced along with all that anti-Nixon verbiage, the President would still have a duty to those who named him and to the country as a whole, a duty that would not be discharged by resigning under fire.

There are those, even among the President's own supporters, who urge him to quit, to announce that all the charges and criticism have destroyed his ability to govern.

If the President takes that advice and resigns now, he will leave to his successor a country torn asunder, perhaps irreparably so. Tens of millions of Americans will view his departure from office by this route as evidence of a successful political murder, carried out by those who conducted a vendetta against him. That would deny his successor any hope of gaining even that minimal support that is necessary to govern. In our opinion, a substantial number of Americans would be convinced, rightly or wrongly, that the legitimate elected leader had been overthrown and a democratic vote nullified by a propaganda coup d'etat.

For this reason and others, The News believes that the President should stand his ground and force his opponents to put up or shut up. If they have a legal basis for removing him from office, let them use the avenues of recourse provided in the system. Let them draw up specific charges, present their evidence for those charges and give him the opportunity to defend himself against those charges.

In brief, The News believes that if his legions of constant critics have solid reasons to impeach and convict Richard Nixon, they must be required to present those reasons through due process, not through the mass media. If they are determined to drive him from office, they must convince not only the House and the Senate, but the entire electorate that Richard Nixon is guilty of "treason, bribery or other high crimes and misdemeanors."

If that is true, that must be proved to the nation. If that is not true, then the fact that it is not true must be proved.

For the President to quit now would prove neither case. But it would indicate to millions that the votes of the citizens now weigh less on the democratic balance than the volume of criticism that can be brought to bear against those the citizens elect.

RESEARCH AND DEVELOPMENT ON FUEL CELL TO RELIEVE ENERGY CRISIS

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. COTTER. Mr. Speaker, I have periodically criticized industry for being myopic when it comes to wasteful use of our diminishing resources, particularly energy resources. So it is with pleasure that I acknowledge two companies in Connecticut's First Congressional District who have made a rather farsighted commitment to the development of new energy resources.

The Pratt & Whitney Aircraft Division of United Aircraft Corp. in East Hartford will spend over $75 million—60 percent from the utility industry and 40 percent from Pratt & Whitney Aircraft—for research and development during the next 3 years on a fuel cell which will generate electricity in a cleaner and more efficient manner than coal or oil fired generators.

This privately funded R. & D. effort has great promise and could well result in commercial production by the end of this decade.

Without going into technical details let me tell you briefly how the fuel cell works. Basically, it is a process whereby hydrogen and oxygen are converted into electricity. But since quantities of hydrogen are not available commercially yet, the first generation of fuel cells will have a "fossil fuel reformer subsystem" which will extract hydrogen from gas or oil.

Northeast Utilities, one of the public utilities which has committed money to Pratt & Whitney Aircraft's fuel cell project is going one step further, investing money in a research effort designed to develop a method to produce commercially useful hydrogen.

Abundant and cheap quantities of hydrogen would not only eliminate the need to use fossil fuels in the fuel cell electric generators but will play an important role in another new technology resource, coal gasification and coal liquification.

I wish both companies much success in these two socially useful ventures.

IF THE WEST FREEZES, LET THE ARABS STARVE

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. BRASCO. Mr. Speaker, of late, Arab nations have filled the air with a series of blood-curdling threats, all having to do with withholding petroleum from Western nations showing any sympathy for Israel. Whoever opposes their fourth effort in 25 years to drive the Jews into the sea, we are informed, will run an imminent danger of having all Arab oil supplies held back until they see fit to act otherwise.

Such threats have been implemented by most Arab oil-producing nations. Boycott efforts, however, have been openly aimed mainly at the United States. Perhaps the American people are not fully aware of how thorough this worldwide Arab undertaking has been. Perhaps the average American is unaware that the boycott has been aimed at other countries providing the United States with significant quantities of refined petroleum products.

Nations such as Japan, Britain, France, and other formerly great powers have caved in like so many noodles fresh from the pot under Arab threats.

The Common Market countries issued a strong pro-Arab statement last week. Of France, we can say it is no surprise. However, a few observers felt that the English had remaining to them some shred of self-respect. Obviously, this is no longer the case.

Americans, however, do have a real choice. We have noted these Russian clients in burnooses dashing about, waving threats of oil cutoffs at us. Several of these countries are mere collections of fishing villages clinging to the littoral of the Persian Gulf, still harboring acute addictions to dictatorship, slavery, and similar harmless pursuits. By the accident of history, they are now squatting on oil reserves the world must have. It is long past time that the world reminded them that their shrill cries of boycott can and will result in retaliation. Here is the only language I believe they comprehend, and the American people can and will applaud a strong, vigorous response to their blackmail threats.

For a start, let us find out what they need and import. Behold their Achilles' heel—food. And where do they obtain so much of that food? By sheer coincidence, from the United States. And a large proportion o. that food is given by this country to these fabulously wealthy oil nations for either a pittance or for nothing at all under the Public Law 480 program. I do not know how long any society or group of people can do without full supplies of petroleum. However, it is a matter of medical fact that most human beings perish after doing without food for about 1½ months.

If the world is in an oil and energy squeeze, as oil company ads tell us, then this is serious, indeed. After all, the oil industry is never wrong, even when publishing ads disclaiming its role in causing shortages, while claiming tax deductions on such ads. But the food shortage is also worldwide and is far more pressing.

In no way do I advocate creation of suffering for innocent people. Nevertheless, when the blackmail initiative is taken by the Arabs and their threat is forthwith implemented to the best of their ability, we have little option remaining but retaliation in kind. The Dutch, bless them, are helpless; but, we are not.

Just as the Arabs seek to worsen our energy crunch by cutting off oil feedstocks to nations refining and selling finished products to the United States, so we can implement a similar policy in food. Many Arab States either obtain grain and other basic foodstuffs from the United States or from nations shipping them grain because they in turn receive other grain or foodstuffs from America. We are, in short, materially contributing to their favorable balance of trade and the well-being of those threatening us with oil boycott.

Our distinguished colleague from Pennsylvania, WILLIAM A. BARRETT, has already introduced a resolution, House Resolution 357, expressing the sense of the House that the President "should curtail exports of goods, materials and technology to any nation that restricts the flow of oil to the United States in a quantity which is proportionate to the quantity of such restriction of oil." I wish to associate myself with that resolution at this time and call the attention of other House Members to its message.

Right now the Arab States, by their oil boycott, are in violation of their obligations under the articles of GATT—General agreement on tariffs and trade—their treaties of friendship and so-called U.N. resolutions. Egypt and Kuwait are members of GATT. Algeria, Bahrain, and Qatar are de facto members. Article II of that agreement states that:

> No prohibitions or restrictions other than duties, taxes or other charges—shall be instituted or maintained by any contracting party on the importation of any product or on the exportation or sale for export of any product destined for the territory of any other contracting party.

While neither Saudi Arabia nor Iraq are GATT members, the United States has a treaty of friendship with Saudi Arabia going back to 1933, and a similar treaty with Iraq dating from 1940. Discriminatory boycotts violate the spirit of such treaties, indicating to us again what it would mean if we ever became truly dependent upon such nations for a life-or-death supply of oil. No agreement in memory has been honored by them. Recently, their unilateral breaking of one agreement after another with oil companies and one another are indications of what we could expect if they ever got their paws on America's energy windpipe.

Turning from the ominous to the humorous, there is even a 1970 U.N. General Assembly resolution on friendly relations between states, declaring:

> No state may use or encourage the use of economic, political or any other type of measure to coerce another state in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind.

Although everyone knows such a rule would never be enforced by the so-called U.N. against the Arabs, or for that matter, against any nation or nations seeking to harm Israel, we can dismiss this rule as we would the babblings of any asylum inmate. However, it is noteworthy to point out that the statute is on the books, and is being ignored by both Arab nations and the U.N. in the current situation.

The Department of Agriculture has made available information showing Saudi Arabia is 100-percent dependent on imports for wheat and feed grains. Kuwait is 100-percent dependent on imported feed grains. Iraq is 38-percent dependent on wheat imports. Egypt, Jordan, Lebanon, and Syria also import foodstuffs.

An article published in "Foreign Agriculture" quite recently predicted U.S. agricultural exports to the Middle East will jump 50 percent in 1973–74, and that the area will rival India and China as a market for our grain. Also, that Iraq and Syria have had poor crop years and that U.S. food exports to these nations will total $300 million.

In fiscal year 1972, our agricultural exports to 15 Arab States exceeded $250 million, including private sales, food grants, sales and loans under Public Law 480 and AID programs. Is it not intriguing that Arab oil States, bulging with dollars, as reports indicate, are receiving large supplies of American food for nothing. Can they not afford to purchase such foodstuffs with the vast financial resources oil exports bring in? What will the average American, scrabbling for fuel oil and gasoline, think of that?

Some apologists will dash forward, pleading that we do not want to make matters between the Arabs and the United States worse. Nonsense. The entire situation has been brought to a head by sneak attack, unilateral boycott and outrageous public threats against the United States, uttered and reiterated by Arab States in question.

The world has little spare food. If the United States retaliated, or even threatened to do so, some hard thinking would be done on the Arab side. Let us note that the Arabs are getting false bravado from Russian backing and because of craven capitulation by Western nations. Consumer states will not band together against them. So retaliation is the only tool we have left with which to lever them to more sensible positions. Russia can resupply their arsenals, but not their granaries.

Undoubtedly, some humanitarian groups will also emerge, wringing their hands over such hard talk. One can easily predict who they will be; the same organizations which have condemned Israel for so long, crying over the plight of Palestinian refugees. The same refugees, mind you, which their brother Arabs have not allowed to settle in host countries in a permanent status. The Arab States have preferred to maintain them in a precarious state of existence so they could be utilized as a photogenic publicity tool to excite Western sympathy. Just as many Jews became refugees from Arab lands, but were taken in and resettled by Israel.

These same groups, bubbling over with brotherly love from a goodly distance for such refugees, will no doubt be the loudest humanitarian voices questioning any U.S. withholding of foodstuffs from Arab oil States now unilaterally boycotting the United States.

Logic will not, in the future as in the past, be their strong point.

Nonetheless, we should and must consider this policy. If one chooses to deliver a blow, as the Arabs did against Israel and now against the West, they should expect one in return, which they received from the Jewish state, and which, I hope, we shall also deliver.

IS NIXON RESIGNATION THE ANSWER? THINK AGAIN

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. HUBER. Mr. Speaker, in the present time of great heat in Washington over the possibility of President Nixon resigning, a little light would be helpful in my view. This light, in the form of a

column by Judd Arnett in the Detroit Free Press of November 6, 1973, was supplied. His column, above all, provides a little perspective on the issue. It points out how many persons and many groups in times past have loudly called for the scalp of the President and how history had judged it was wise that he stayed in office. I, therefore, commend this article to the attention of my colleagues:

[From the Detroit Free Press, Nov. 6, 1973]

IS NIXON RESIGNATION THE ANSWER? THINK AGAIN

(By Judd Arnett)

One is tempted to comment on the weekend pontifications of competing publications. In a burst of activity, editorialists here and elsewhere seized the initiative and told us how the nation might most conveniently escape the aggravations and horrors of Watergate. The formula is very simple: All that needs doing is for the President to resign his office, bag and baggage. Why didn't someone think of this before?

Imagine the trauma and turmoil which might have been spared the Republic had this logic been followed through the years. With a few flicks of the pen, you can rewrite history and have enough space left over on the editorial page for a lengthly dissertation on the evils of the school hot-lunch program. Like this . . .

Abraham Lincoln, faced with civil war because his policies were unacceptable to the South, should have pulled his stovepipe hat down over his ears and slunk back to Springfield, Illinois.

What this would have meant to the nation in peace and tranquility is beyond comprehension. But let us bring a tiny portion of what might have been down to this very moment: In Detroit today, we would not be confronted with the question of whether or not an uppity black man, Coleman Young, is fit to be our next mayor. Mr. Young, if not planting cotton in Alabama, would be at most a shiner of shoes, grateful for a nickel tip and looking forward to an evening repast of grits and hawg jowls.

In 1937, fresh from carrying everything except Maine and Vermont, Franklin D. Roosevelt would have gone back to Hyde Park after stirring the country to a frenzy over the Supreme Court and losing his reform bill in the Congress. This would have put John Nance Garner, who was somewhat to the right of Andrew Carnegie, in the White House, thus plowing under the New Deal. We might also have wound up on the side of Adolf Hitler in World War II, and that would have turned things around a bit, wouldn't it? There were other times during FDR's tenure when the editorialists wanted him to resign, but he was a bull-head who just wouldn't listen to reason.

After firing General Douglas MacArthur, who had some definite ideas as to how the war in Korea should be conducted, Harry Truman's popularity dropped so low that the pollsters could hardly find it with a stethoscope. There were countless patriotic calls upon ol' Harry to chuck the job and retire to his piano in Missouri, but he was swellheaded about his importance to the country. His quaint carryover notion that there should be civilian control over the military was tested again during the Vietnam adventure, and this may have kept us from straightening things out for once and all in Southeast Asia by fighting the Red Chinese, the Russians and anyone else who wanted a piece of the action. Now we will never know how that war would have ended had we gone all-out, will we?

When you poke around in history you discover that there has rarely been a president who has not been called upon to resign by someone with access to a printing press. If all of those screams and hollers had been heeded the White House would have worn out five sets of revolving doors by this time.

But it seems to be typical of the occupants of the office that once they get entrenched, they are reluctant to accept the advice of publishers, editorialists, columnists and, lately, television commentators. There must be something about the job that deafens the holders of it to the clarion calls of the patriots of the Fourth Estate.

Else why would Richard Nixon hesitate for even a moment in responding to the supplications offered with the most heroic of intentions—by Time Magazine and The Old Gray Lady Down The Street, among others? Good gravy, all they want him to do is quit and turn it over to Gerald Ford. Is that too much to ask, especially among friends of long standing?

The President should be impressed that this is the first time in 50 years that Time has run an editorial. Think of how frustrated they will be if, after storing all of that ammunition, nothing happens. Ppppfffffffffttt, so to speak. Oh, the ignominy of it all. As for The Old Gray Lady, surely she is entitled to consideration after having haughtily looked down her nose at Watergate during the early months of its festering.

What a clean way to end it all. Mr. Nixon quits and we pass on to Mr. Ford. One can hardly wait.

NIXON DESERVES BETTER

HON. E. G. SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. SHUSTER. Mr. Speaker, how quickly we forget.

It has been less than a year since we have been extracted from Vietnam. Many of the former prisoners of war are still struggling to readjust following their ordeal in Southeast Asia. The ravage of war is still apparent to anyone visiting the towns and villages of Vietnam. Yet it is all but forgotten, it would seem.

President Nixon, through his firm and decisive leadership, achieved a peace in Vietnam many thought was impossible. Were it not for the present occupant of the White House, we could still be fighting—and dying—in that tragic war.

President Nixon is being crucified for his mistakes while being ignored for his great accomplishments. Whatever else the history books may say, President Nixon will be known as a great peacemaker.

The following editorial from the Waynesboro, Pa. Record Herald reminds us of the real "cost" of that tragic war—a "cost" that could still be escalating without the courage, conviction, and leadership of Richard M. Nixon.

Mr. Speaker, the President deserves better than he is getting.

The editorial follows:

NIXON DESERVES BETTER

The Indochina war will have cost American taxpayers a total of $676 billion by the time we finish paying for it.

So claims Thomas Riddell, a Bucknell University economist, whose study of the economic effects of the Vietnam conflict has been published in The Progressive magazine.

Riddell's figure includes not only the actual wartime outlay for weapons and materiel and expected future expenditures for Vietnam veterans and their dependents, which will go on well into the next century. He expands it by including U.S. support of the French effort in Southeast Asia, beginning in 1950, as well as his estimate of "human resources" costs.

The latter include wage losses suffered by draftees, the dollar price to society of drug addiction among veterans and the value of lifetime production lost to the economy because of casualties.

But while it is not easy to minimize the costs of this terrible war, neither is it difficult to exaggerate them to prove a point. Riddell, for example, does not offset the wage losses of draftees—which cannot really be known—with an estimate of the increased earning power of other veterans who may possibly have acquired skills and trades useful in civilian life.

In any event, it is hopeless to try to pin down a final figure for something that has to be spoken of in terms of hundreds of billions of dollars, by any reckoning. Forget the money. Consider the other costs of the Vietnam war, which Riddell also mentions.

More than 56,000 men killed and more than 303,000 injured; almost 23,000 double amputees; more than 2,500 quadraplegics and paraplegics; about 260,700 veterans receiving disability payments; more than 1,300 Americans still listed as missing in action.

BOTANIC GARDEN

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. DE LA GARZA. Mr. Speaker, the Botanic Garden immediately west of the Capitol Grounds is a familiar sight to all Members, but I wonder if many of us have a full realization of the remarkable things that go on there. I recently learned about some of them from Mr. Jimmie L. Crowe, assistant manager of the Botanic Garden.

Work is constantly going on to develop new varieties of flowering plants to gladden the eye of the beholder. New for this year are nugget marigolds that bloom throughout the summer until frost, variegated pepper as a border plant, carefree coleus, a variety of Southern Belle hibiscus, and numerous others. Also new this year are the flower beds in front of the conservatory, which through the spring and summer added to the beauty of Capitol Hill.

Coming as I do from a south Texas area where beautiful plants abound, I have a special feeling for the Botanic Garden and what is being done there.

A man to whom the conservatory represents his life's work is Mr. Albert T. DePilla, the Botanic Garden horticulturist. Mr. DePilla started work as a laborer 50 years ago when he was 16 years of age. Under the tutelage of the late assistant director of the conservatory, Mr. Wilbur Pagel, he was trained in botany and became an expert in that field.

He was not content simply to grow flowers. He painstakingly experimented with them to develop new and improved varieties. He attended them and cared

for them as a father does his children. He is always striving to inspire others with his own love of plants and flowers.

Mr. DePilla recently was awarded by the Architect of the Capitol a certificate for his 50 years of service with the U.S. Government. He is a man who numbers many Members and their wives and children among his devoted friends. All of us are indebted to him for his efforts to bring beauty into our lives day after day. Albert DePilla is one of the outstanding assets of the Nation's Capitol.

TRIBUTE TO THE LATE HONORABLE ROBERT EWING THOMASON

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 12, 1973

Mr. PATMAN. Mr. Speaker, like so many historic Texans of revered memory, and I need mention only two of many great names, Sam Houston and Sam Rayburn, Judge Robert Ewing Thomason came to us from the great State of Tennessee. It is truly a measure of his enormous distinction that his accomplishments reflect such high and ample honor both upon the State of his birth and upon Texas which, from early childhood, was his beloved home.

Commencing his congressional career in 1931, Ewing Thomason represented the people of the 16th District of Texas with impressive fidelity and dedication, being overwhelmingly responsive to the needs of his constituents, as well as to our national requirements during periods of domestic and international stress. I remember Judge Thomason with abiding affection and respect. His integrity was so real and perceptible that it came as no surprise to his many friends that our great President, Harry Truman, appointed him a Federal judge for the western district of Texas, a position in which he served from 1947 almost until the day of his death last Thursday.

No jurist has received more solid and sincere acclaim by both trial attorneys and legal scholars than Judge Thomason. Indeed, his long and remarkable career included experience as county and district attorney, member of the Texas Legislature, speaker of the Texas House, and Mayor of El Paso, as well as eminent practitioner of the law.

I join with my colleagues in expressing a deep sympathy to Judge Thomason's beloved wife, Abbie, and to their fine family. Judge Thomason exemplified his own precepts. He brought the same qualities of fairness and wisdom to all who came before him. He believed in democracy, in the liberties that are the birthright of Americans, and in the essential dignity of human beings. We have lost a friend and a champion, and his life gives all of us courage and rededication to the ideals of public service, of statesmanship, of loyalty, and of devotion to God and country.

TRIBUTE TO MAYOR FRANK TERRAZAS OF PICO RIVERA, CALIF.

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. HOLIFIELD. Mr. Speaker, the soul and vitality of our great country rests in the success of local government. Local government, whether it be a city, county, or district level is the leaven that insures progress for our Nation and happiness for our people. Of course, it goes without saying that local government is only as good as its elected officials.

I rise today in tribute to one of these local officials, Mayor Frank Terrazas of the city of Pico Rivera, Calif., a portion of the district which I have the honor to represent. Mayor Terrazas is an exemplification of the type of local official that has made our country the envy of all who see it. Mayor Terrazas is one of those selfless citizens who has dedicated his life to community service. Personal reward has never been his objective, as most of the service on a local level is voluntary; the only reward is the satisfaction in community progress.

Mayor Terrazas came to California in 1921, 1 year later than I arrived. Although our paths did not cross for many years, we lived in neighboring areas; he lived in East Los Angeles and I lived in Montebello, contiguous areas in the Los Angeles suburbs.

Long before his entry in local office, Frank Terrazas demonstrated his devotion to the welfare of the community. For years he was active in the International Association of Machinists, as befits his position as a master painter for the Lockheed Corp. But, while raising and supporting his family, consisting of his wife, Lydia, and his three daughters, Christina, Lydia, and Maria, he was also active in affairs of public concern. For many years he was active as a member of the Los Angeles County Democratic Central Committee, many times occupying the position of district chairman. He has held many other positions of authority in the Democratic Party, the latest is his membership on the Democratic State Central Committee, to which it was my honor to appoint him.

In 1962 the citizens of Pico Rivera elected Mayor Terrazas to the city council. He has been reelected twice since that time. During the 11 years he has served on the city council, he has been elected three times to serve as mayor.

A recitation of all of the positions of public trust that Mayor Terrazas has held would take hours. I would just like to mention a few, Mr. Speaker, to illustrate the devotion this man has to local government and the commonwealth.

When the OEO first began, Frank Terrazas was called upon to be the president of the Eastland Community Action Council. His fellow mayors have elected him to the executive board of the committee of mayors. The Los Angeles District Attorney has asked him to serve on his advisory council and he has held office in the California Contract Cities Association since 1962.

Mayor Frank Terrazas, an American of Mexican extraction, seeing the need for an organized approach to solving the problems of the large numbers of citizens of similar background, set about to organize the Asociacion Californiana of Elected Representative Officials, an organization of elected officials of Mexican heritage. He served as charter president of this group.

Of course, in addition to his other activities, Mayor Terrazas has been involved in numerous other community groups, such as the Boy Scouts, Campfire Girls, American G.I. Forum, and the Optimists Club. Mr. Speaker, we have in Mayor Frank Terrazas a living example of why our country is great. I rise in tribute to Frank Terrazas and in behalf of myself and the other citizens of the 19th Congressional District, thank him for his work on our behalf, and wish him many more years of community service.

THE AIR FORCE ACADEMY

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. BROWN of Ohio. Mr. Speaker, in a recent edition of the Denver Post, an article by Mr. Robert Pattridge appeared that describes the current climate of the Air Force Academy. The academy is building men for peace as well as defense, men of intellectual superiority rather than mediocrity, men of honor and not dishonor, and men who are leaders and not folowers. I thought that my colleagues would be interested in the article, and I therefore, submit it for the RECORD:

[From the Denver Post, Oct. 7, 1973]

AFA GIVES US MEN TO MATCH OUR MOUNTAINS

(Our men are our walls.—Sparta, ancient Greek city.

We will not lie, steal, or cheat, nor tolerate among us anyone who does.—Air Force Academy Cadet Honor Code, 1973.)

Air Force Academy—Parallels abound between Sparta, ancient Greek city, and today's Air Force Academy.

Sparta's laws, drafted by Lycurgus, were characterized by rigidness. Rigidity is part of life at the Academy.

The Spartan was essentially a soldier trained to obedience and endurance; he lived in a barracks and ate at a common mess. That is generally true of the Academy cadet.

A study of history unfolds other parallels between the Academy and Sparta, capitol of Laconia and most powerful state of the Peloponnesus.

History also shows, however, that men and nations do not survive on military might alone. Today's Academy has many qualities of ancient Sparta plus qualities of its own. The Academy process fosters review and change.

Currently, the U.S. military forces are the bad guys. Uneasy peace reigns in the world with detentes in trade, troop reductions and unclear weapon controls. Thank God for that. However, should the world atmosphere

alter, our media and the public will clamor: "Where is the military?"

Part of that military is at the Air Force Academy. There are hundreds of officers, enlisted men and cadets on the 18,000 acre site north of Colorado Springs who believe in discipline, and practice it. They also exhibit human understanding and compassion for fellow man.

Negative news about the Academy has a way of bursting onto front pages and the television screens around the world. A reader or viewer may question: "What is going on there?"

The answer is simple—education. Much of that education, unreported, is positive.

An example: For an average of four hours daily, Brig. Gen. Hoyt S. Vandenberg Jr., 45, commandant of cadets, counsels and raps with the 3,980 cadets in groups and individually.

Among other problems, General Vandenberg seeks out "rumbles." That is Academy jargon for the cadet who is "rumbling"—pondering resignation. It is a serious problem. The dropout rate in the 1974 class is a shade over 40 per cent.

There is counseling galore for the "rumbles." Available are fellow cadets, cadet leaders, the 580 faculty members, General Vandenberg, a special team of officers, chaplains, psychiatrists and even Lt. Gen. Albert P. Clark, the 60-year-old Academy superintendent who looks 45.

General Clark recognizes that cadets have special troubles. They have come from a permissive society where alcohol, cars, women and drugs are available. Suddenly they are in the Spartan atmosphere of the Academy. The physical and academic demands are tough.

Concentrating on three areas of concern is a goal of General Clark:

The cadet's environment. Improve it and allow a minimum of the "Mickey Mouse" harassment that is so irritating to young men of today.

Don't bring in cadets who won't make it at the Academy. Greater counseling and care in selection of carets is part of this goal.

Orient the cadet candidate completely as to what he can expect and what is expected of him. He will last, adjust and quit less frequently.

Certain standards will not change under General Clark's superintendency. They include courage, loyalty, character, leadership and self-discipline (a subject General Clark knows well, having spent nearly three years as a prisoner of war in Germany during World War II).

"The way you capture a young man's loyalty is not the same as in Frederick the Great's time," General Clark says.

You have to reach a cadet with understanding, he believes, but without lowering academic or moral standards.

The task is not easy in 1973 with the social, political and military turmoil. But General Clark's worries are not his own. Besides his competent staff he is assisted with recommendations by the Academy Board of Visitors and the Academy Advisory Council, both comprised chiefly of civilians.

The Academy also has been enriched by the Air Force Academy Foundation. Private funds donated through the foundation created the 50,000-seat Falcon football stadium and the 18-hole Eisenhower Golf Course.

In worrying about the dropout rate, and the money spent to educate a cadet, General Clark is realistic. "When you shake the tree, some bad apples will fall."

The number falling concerns him, although it is best for cadet and Academy if the dropout is weeded early in his career rather than later.

There is satisfaction for the general in the number and quality of the AFA graduates. Since Congress authorized the Academy in 1954, a total of 7,900 men have graduated. Only 38 have embarrassed the Air Force in any manner. The Academy also leads the three service institutions in number of graduates who remain on active duty following completion of military commitments.

An oft-repeated charge against the Academy is that hawkish robots are being manufactured. "Nothing is further from the truth," contends General Clark. His words are backed in random conversations with cadets.

The cadets exhibit abundant free wills and intellects. They are the ones deciding to stay or leave the Academy. They are the ones offering advice to the Academy administration on matters as diverse as "Mickey Mouse" harassment and changing the curriculum.

It is the cadets voicing a variety of recommendations in discussions with Generals Clark and Vandenberg, other officers and cadet leaders. Cadets appreciate that the officers seek out ideas for change. And the cadets run the honor code—not the officers. The cadets hear the evidence in honor code cases and make decisions on resignations.

If the cadets are robots, they are well-informed robots. General Clark invites a wide range of speakers to address the cadets. They range from comedian Dick Gregory to a Communist. There was a seminar for minorities. Speakers with various views are presented under an open policy.

Classroom discussion is frank, energetic and refreshing.

The Academy attracts the cream of the nation's youth. They are the scholars, athletes, the leaders of all colors and creeds from hundreds of high schools—including the Academy's own Preparatory School. Taking this quality and leading the way to an education for the "whole man" is Brig. Gen. William T. Woodyard, 54, dean of the faculty.

A scholar who has served at the Academy since its founding, General Woodyard aims at "establishing a total environment conducive to training."

He needs no Pentagon reminder that "we are here to support the Air Force." Yet, he is the type officer who hosts cadets in his home and hears plenty of "feedback."

General Woodyard isn't pushing only science, mathematics and military training. Literature, philosophy, languages, music, art, history, athletics, political science, all have a place at the Academy.

Holder of a doctor's degree in higher education from the University of Denver, General Woodyard is especially proud the Academy ranks fourth nationally in the number of graduates who have won Rhodes scholarships.

The Academy also is a leader in winning National Collegiate Athletic Association scholarships—a measure of the "whole man" concept.

General Woodyard is also proud of the accreditation record in engineering and other fields of Academy education.

The three generals and Col. William R. Jarrell Jr., 51, director of admissions and registrar, point out a few variables in the dropout rate.

There are no transfer students into the Academy upper classes as in other non-military institutions. There is a 2 to 3 per cent attrition among cadets due to physical problems. General Vandenberg grieves for the cadet, determined to be a pilot, who suddenly develops eye trouble and drops out because flying was his only "thing."

Also, like civilian youth, cadets have problems with girl friends, families, studies, the physical training and assorted other troubles.

Yet, Colonel Jarrell reports applications are streaming in at a high rate. More than 8,000 young men applied as cadets for the 1,500-member class admitted this year. Some are motivated by a free education but watching them march, train, dine, learn and relax, you have to concur with General Vandenberg: "An amazing bunch of young men."

They are young men with their shoulders back, heads up and living a life packed with motivation, achievement and goals. Besides pilots, they are destined to be Air Force doctors, lawyers, scholars and various other career occupations.

The cadets don't put you on with idle praise for the establishment. Most are mighty happy when the physical and academic demands of that initial year are behind. As is the military's habit, the upper classmen and officers lead by example and the new cadet is impressed.

There are no boys at the Academy—all are men. They live by the honor code of no lying, cheating or stealing. For most, it is an honor code for life.

Many cadets—and officers—expect women will some day be enrolled at the Academy. This will require some changes in training when it happens.

Also in the future here will be more headlines from politicians blasting the Academy. The General Accounting Office may be critical of Academy spending. There will be more dropouts. Training (such as a prisoner of war camp) will be debated. There will be criticism from ex-cadets and ex-faculty members.

In measuring time, the Academy is an infant. It is less than a quarter century old compared with the centuries of Sparta.

But like Sparta, the Academy has strength in its men—its cadets and officers. Due to this strength, the Academy is changing man's flight through life.

While Sparta's race of resolute, ascetic warriors eventually expired, the Academy shows no such signs.

The Academy men—like Sparta's—are also walls; hopefully walls for peace as well as defense, hopefully walls of intellectual superiority rather than mediocrity, hopefully walls of leaders rather than followers, hopefully walls with honor and not dishonor.

If the nation doesn't want those qualities ingrained at the Air Force Academy, Congress had best give a new mandate to the Air Force and its Clarks, Vandenbergs, Woodyards, Jarrells and the proud Academy Cadet wing.

THE ROLE OF LABELS IN SELF-MEDICATION

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ROGERS. Mr. Speaker, in 1927, Congress passed the Federal Caustic Poison Act, beginning a series of bills to establish ever greater consumer protection. As a result there exists today the right of the individual to have access to information relating to his or her health and well-being. It is for this reason that labels presently appear on most all potentially harmful products, providing both warning and direction.

The case of prescription and over-the-counter medicines is of especial concern since these labels provide information that is essential for safe and effective self-medication. The industry is aware of the crucial role the individual must play and usually makes special mention of the importance of reading and following directions in its advertisements. However, the fact of the matter is that many of us disregard or ignore medicine labels; thus creating a serious and unnecessary threat to the Nation's health.

To counteract this tendency, the

Council on Family Health is sponsoring an advertising campaign to make the public more aware of the importance of following label directions. It consists of television, radio, and printed materials; and is aptly keyed on the slogan, "Medicines cannot help you if you do not take them right." The advertising firm of Wells, Rich, Grene, Inc., has created the initial elements on a nonprofit basis and has done an excellent job.

The objectives of the Council's efforts have been endorsed by the board of directors of the Advertising Council. Additional encouragement has been received from the National Association of Broadcasters and the three major networks. However, as is the case with all public service campaigns, the individual medium must make the ultimate decision. Having viewed the materials, I find them very effective and urge their extensive use. The Council on Family Health is to be commended for taking the initiative in this area.

A LONG NIGHT'S JOURNEY INTO DAY FOR MIA'S WIFE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. KEMP. Mr. Speaker, the National League of Families of Prisoners and Missing in Southeast Asia, the Committee To Free Journalists Held in Southeast Asia, the Youth Concerned for the 1,300 Missing in Action, and other responsible organizations, whose dedicated members have been working untiringly on behalf of the missing Americans and their families, need and deserve our unqualified support.

We owe to the families of the MIA's the same debt that we owe to the families of the POW's and to those who gave their lives in combat. This debt must not be left unpaid.

Mr. Speaker, two of my good friends, a neighbor in Hamburg, Maj. Robert E. Rausch, and a college teammate, Maj. Don Lyon, are on the list of those missing in action in Laos.

After the legal declaration of her husband's death, Barbara recently remarried. As she begins her new life, those of us who have admired her bravery throughout the terrible ordeal of these recent years, wish her every possible happiness.

Mr. Speaker, I include for the RECORD and commend to the attention of my colleagues, an October 18, Buffalo, N.Y., Evening News column by Bob Curran concerning Barbara Rausch, "A Long Night's Journey Into Day for MIA's Wife."

A LONG NIGHT'S JOURNEY INTO DAY FOR MIA'S WIFE

(By Bob Curran)

You're 32 years old and for you on the morning of April 16, 1970, God's in his heaven and all's right in the world. You are proud to be a military wife and you know when they are old enough your three youngsters will also be proud of their father, who is flying an Air Force fighter plane in Southeast Asia.

Then the doorbell rings and suddenly you find yourself in a scene that you have pictured many times. The men at the door are from the Air Force and one of them is saying, "We regret to inform you that your husband is missing in action in Southeast Asia."

The rest of the day is a strange dream in which you have the feeling that you are listening to someone else talk as you tell your loved ones and friends the news. You move from the dream to reality when it is time to tell your oldest boy that his father is missing in action. And you fight to control your voice as you say, "Not dead. Missing in action."

Those are words you will say many times in the next few months. They will be the last words you will say at night before blessed sleep comes and the first words you will say when you awake to face another day that might bring more news. They are words that you will say when you and the children look through the album that is filled with pictures of him.

The good news never comes. The liaison officer the Air Force has assigned to you tells you again and again that they have had no reports that he was seen after his plane went down. And all the packages you send to him come back from North Vietnam with the message that there is no man by that name in their prison camps.

You now fear the worst, but you hide your feelings, and when you meet friends and families of other prisoners you always manage to have your chin tilted bravely in the air. And after awhile you become very active in the National League of Families of American Prisoners and Missing in Action in Southeast Asia.

Eventually, you become a director of the Western New York Concerned Families of Prisoners of War and Missing in Action in Southeast Asia and then a director of the national group. And the people who watch you in admiration are sure that you still feel that your husband is alive.

But to some of us who have become close to you, you say that there is no reason to believe that he is alive. But you still work with the other families some of whom have learned that their loved one is alive.

Sometimes you go to Washington to help search out information for the others. Always you are on call to make a talk to a high school or civic group.

One night you speak at a Reserve Officers Association meeting and afterwards you are invited to attend the annual ball. And you consent to be escorted by a bachelor officer.

In late January the list of living men is released and what you have known and lived with for so long is now official.

As you begin to face your new life you begin to date the officer who escorted you to the Reserve Officers ball. And one day you accept his proposal of marriage.

You thought you knew what sort of flak that would draw when the news leaked out but you found it is worse than you had imagined. Eighty per cent of the wives in the league want the Air Force to make a determination on their husband's status. Most of the parents involved wanted their sons to continue to be listed as "missing in action."

Fortunately, your in-laws believed that life must go on and they give you their blessing. So does your mother and your close friends.

Then come the technicalities that when reported in the paper make you sound like a crass person. To have your husband's will probated he must be declared dead and that brings criticism from those who want you to cling to the past.

After that you must ask the Air Force for a determination. And one day an Air Force car comes to your house and a chaplain tells you that so far as the Air Force is concerned, your husband is dead. Though you have been sure of this for a long time, you find that the sight of the car outside your house brings on chills that were as icy as those you felt on April 17, 1970.

On Tuesday of this week you have a memorial service for your husband. Among those present are the children Mike, 13; David, 9, and Betsy, 5. And you explain to a man who asks about it that "it's best that they know it is all over."

And you feel a jolt of joy when your mother-in-law calls from Florida to say, "One thing must end before another thing is to begin."

The "other thing" will be your marriage on Saturday to Major Robert Rackley, a gentleman who has won the respect of all who have met him.

You can be sure that those of us who had the good fortune to see you fight the good fight through the terrible years will be rejoicing for you as you start your new life.

Hang tough, Barbara Rausch.

RONCALLO STATES POSITIONS ON RECENT VOTES

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. RONCALLO of New York. Mr. Speaker, yesterday I was attending a meeting of the Savings Bank Association of New York State as a member of the Banking and Currency Committee and was unable to be on the floor when votes were taken on the trans-Alaska pipeline conference report. As no pairs were available, I would like to state my position for the Record.

I do not believe that sections 408 and 409, relating to expanded Federal Trade Commission and General Accounting Office authority, respectively, belong in a pipeline bill. The first encourages internecine warfare between segments of the executive/regulatory branch of Government, which this country could well do without. The second could add greatly to the reporting requirements imposed on our already overworked small businesses. For these reasons I would have voted for recommittal of the conference report with instructions to delete the two offending sections.

Despite the above I would have voted "yea" on final passage of the pipeline bill due to the overriding need to bring Alaska's North Slope oil down to the lower contiguous 48 States as soon as possible. This will help us to meet our energy needs ourselves and free us that much more from the blackmail of the oil-producing Arab nations.

Today I voted to recommit the conference report on Labor-HEW appropriations. Most of the bill was good legislation continuing very valuable Federal aid programs. The formula for allocation of funds under the Elementary and Secondary Education Act, however, did not keep faith with what had been promised earlier this year during the debate on the second continuing appropriations resolution. The result is that the two counties I represent, Nassau and Suffolk Counties of Long Island, N.Y., would have received nearly $400,000 less under the conference report than under the alternative formula proposed by the gentleman from Minnesota (Mr. QUIE). I hope the conference committee will report the bill promptly with the agreed-upon formula and that I will soon be able to vote for final passage of this vital legislation.

FORMULAS FOR CONSERVING OIL

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ANDERSON of California. Mr. Speaker, obviously, to meet the energy crisis we must either increase the supply of oil or decrease the demand. Since increasing the supply of oil without bowing to the Arabs is virtually impossible in the short term, our only recourse is to conserve oil.

The administration's response seems to be a rationing program, similar to that which existed during World War II. Darrell Trent, the Director of the Office of Policy Development in the Department of Commerce, has estimated that such a system would cost nearly $200 million per year and would require a staff of 12,000 people.

Rather than establish an elaborate system for rationing gasoline that would discriminate against many individuals, I believe that an increased Federal gasoline tax—with stipulations for rebates to low- and moderate-income taxpayers—would be a reasonable alternative. An increase of 10 cents per gallon in the tax would both stifle the waste of gasoline, and produce an additional $9 billion to the Federal Treasury—funds which could be used to establish efficient and effective mass transit systems to offer people an alternative to their automobiles.

In addition to this tax, a lid must be placed on oil company profits so that the huge majors do not unduly prosper at a time of national crisis. For example, so far this year, Exxon has made over $1.5 billion in after-tax profits—up around 80 percent since last year. Gulf Oil reported a gain of 91 percent, and Mobil's profits have increased by 64.1 percent over last year.

Mr. Speaker, at this point I insert in the RECORD an editorial that appeared in the Washington Post on November 12, which offers alternatives that should be proposed before we get into a rationing program:

FORMULAS FOR CONSERVING OIL

The next step, in the national effort to save fuel, is to raise the penalties on waste. Three measures in particular deserve immediate action, and President Nixon might usefully add them to the proposals that he has already submitted to Congress. All three ought to be tried out before the administration resorts to consumer rationing of gasoline and fuel oil. Energy prices in this country are still tilted to encourage consumers to squander fuel and power. It is time to tilt them the other way.

A surtax on gasoline is now necessary. The price of all oil products will inevitably go up sharply over the coming months. A stiff surtax would apply the brakes at once. The President's adviser on energy, John P. Love, said last week that the surtax might have to be as high as 30 cents a gallon to have any significant effect. That figure sounds high. Estimates made earlier this year for the Energy Project, an independent research organization here, suggest that a surtax of 10 cents would cut sales by a good deal more than the 500,000 barrels a day that, according to the White House, we are currently short. Since no one can say with precision what the effects will be, that is all the more reason to begin experimenting now.

Mr. Love added that he is also worried by the regressive impact of a gasoline surtax on low-income families. But that objection can be very easily met by any of a number of adjustments in other taxes. The best solution would probably be a standard credit on the personal income tax.

Another necessity is rewriting the utility rates. Most electric companies give lower rates to homeowners who use a lot of power. The first kilowatt hour is the most expensive one, and the last is the cheapest. The President can usefully call on the state regulatory agencies to turn the rates around to discourage overuse by charging higher rates to families that consume more.

The President also has an opportunity now to use market pressure in behalf of clean air. Taking the sulfur out of fuel oil is technically possible. But it takes money, and most companies will naturally burn high-sulfur oil as long as it is cheaper. Some of the air pollution rules will have to be relaxed because of foreign oil boycotts. The proper response, to protect the atmosphere, is a federal tax on the sulfur content of fuel oil. It should be set just high enough to make it a little more expensive to burn dirty oil than to take the sulfur out of it. No industry would be threatened with a shutdown if clean oil disappears from the market, but refiners would have an incentive to install desulfurizing processes.

Very cheap fuel in this country has, over the years, made it increasingly easy to be careless. Higher prices are a powerful level for conservation. It is important to remember that, while the necessary economies are substantial, they do not involve any drastic changes in our style of living. If the foreign boycotts cut our supplies as much as 17 per cent, as the President warned they might, we would still have as much oil to burn as we had in 1969. That was a pretty good year. The economy was prosperous, houses were warm, and there were cars on the roads. Going back to the 1969 level in one sudden jump will be a nuisance for most of us, but hardly a tragedy. What we need now is caution, and there is nothing better than a gasoline surtax to induce it.

TRANS-ALASKAN PIPELINE BILL

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. HUDNUT. Mr. Speaker, Monday, November 12 was celebrated as Veterans Day in Indiana and because of longstanding engagements with this observance, I was unable to be present when the votes were taken on the conference report on S. 1081, the trans-Alaskan pipeline authorization. However, I want to make my position clear that I support the pipeline and certainly do not want any delay in its construction.

However, I would have voted for the recommittal motion offered by the distinguished gentleman from Arizona (Mr. STEIGER) because the amendments added by the Senate, sections 408 and 409, have nothing to do with the pipeline construction. These nongermane amendments enlarge FTC powers and also increases the requirements for reporting on the part of business. The House has not had an opportunity to consider these matters thoroughly.

In view of the failure of the House to adopt the recommittal motion, I would have voted for the conference report on final passage. It is most urgent that we proceed with the pipeline as soon as possible.

LIFTING WAGE-PRICE CONTROLS COULD SOLVE ENERGY CRISIS

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. SYMMS. Mr. Speaker, common sense tells us that freedom and liberty have been proven as the best way to allocate resources. I inclose the following article by Henry Hazlitt which makes so much common sense.

I would urge Mr. Hazlitt's solution to the energy crisis as better than any that the Government can come up wtih.

The article follows:

LIFTING WAGE-PRICE CONTROLS COULD SOLVE ENERGY CRISIS

(By Henry Hazlitt)

The President's broadcast proposals for dealing with the energy crisis left out the most important step of all. This would be to remove immediately, at every level, all price controls on gasoline and other petroleum products.

No other measure proposed by the President compares in urgency with this. Look at the effect on demand. A rise in the price of fuel oil and gasoline, as a result of the shortage, will put immediate pressure on practically every consumer to conserve its use and reduce his consumption. This applies to profit-seeking and loss-avoiding corporations as well as to the overwhelming majority of private car drivers. There could be a prodigal here and there who will not change his habits; but this will be of minor quantitative importance. There is no other form of rationing as quick and efficacious as rationing by the market or by the purse.

Now let us look at the effect on supply. It is being generally assumed that in the present oil and gasoline crisis an increase in prices (and so in profit margins) cannot increase the supply. This is quite wrong. It can speed up transportation and deliveries. It can lead to the re-opening and working of marginal wells that did not pay out at lower prices. It can stimulate exploration. It can also stimulate and help to provide the funds for new refining capacity.

Above all, it can enable Americans to compete on at least equal terms with the nationals of other countries in bidding for the available supplies of oil from abroad. The higher the price they can get, the more oil the producing countries will be tempted to explore for, pump and export. This applies even to the Arab countries that are threatening to shut us off. If they carry out their threats in full, they will be cutting off their own noses. The higher world prices go, moreover, the more the Arab lands will be tempted to double-cross each other.

Let's say countries A, B, C, D and E together produce 40 per cent of the world's annual petroleum supply. They can raise world prices only by reducing their annual output. They can do this by entering into a pact in which each agrees to reduce his production by a uniform percentage. They can get the higher world price, but each country has less oil to sell. Meanwhile, oil producers in countries outside the area of the pact also have the advantage of the higher price rise, but can in addition sell at that price all the oil they are capable of producing.

It occurs to nation A, a member of the pact, that if it secretly fails to cut its production by the amount it agreed to, it can sell more oil at the higher price brought about by the restricted output of countries B, C, D and E. But this idea may occur to any one of the five. In any case, Americans ought to be allowed to bid for foreign oil without restriction, and not merely to pass on the higher cost, but to make whatever profit a free competitive market will allow.

If oil and gas prices continue to be held down by arbitrary controls, however, most of the "voluntary" measures that the President recommends—driving cars less, reducing speeds, forming car pools, lowering temperatures in the homes by six degrees—may meet with negligible compliance. Excellent advice for the other fellow, nearly every one will agree; I hope he follows it.

Some of the President's advice itself is needlessly confused. "We must ask everyone to lower the thermostats in your home by at least six degrees." Taken literally, this would mean that if you previously kept your home at 78, you should lower it to 72, but if you previously kept it at 68 you should lower it to 62.

Again, the advice to drive less and form car pools may not carry as much weight as otherwise to listeners who have followed Mr. Nixon's flights every few days to one or another of his homes in California, Maryland and Florida.

(The weekend before his oil conservation talk, Mr. Nixon suddenly, according to the New York Times account, "rushed from the White House (with only a minimum support staff of about a dozen Secret Service agents and other personnel) and got on the helicopter which took him to Andrews Air Force Base to board his Boeing 707 jet before the press office could assemble the pool . . . the press plane—a chartered commercial jet—left two and a half hours later." It has been calculated that the President's official plane burns 2,000 gallons of jet fuel each hour of flight.

The President has proposed heating oil rationing and contingency plans for gasoline rationing. Some temporary allocation system may prove unavoidable. But compulsory rationing can tend to have the opposite effect from that intended. It merely shifts competition from the market to the political arena. Every pressure group frames plausible arguments for special treatment. Everybody buys up to his quota for fear he may later be cut off.

What is most disheartening about some of Mr. Nixon's new proposals is that once more they call for the solving of a problem by throwing more money at it—more government spending, more government intervention, the creation of still another army of bureaucrats. Do we really need a new government department or agency to tell us that we ought to increase our refining capacity, use more coal, develop more nuclear power, and all the rest? Would it immediately decrease or increase our energy supplies to force electric utilities to convert from oil to coal?

The best part of Mr. Nixon's proposals are those that call for less rather than more government intervention—such as relaxing environmental standards, allowing the Alaska pipeline to be built, ending government regulation of natural gas prices, and the like.

Past experience suggests that government intervention can be counted on to do precisely the wrong thing. In 1959, when it was argued that American-produced oil was selling too low because too much oil was being produced internationally, President Eisenhower imposed a restrictive quota on oil imports by sea. That quota remained in effect until a year or two ago.

When we should have been conserving our domestic oil supplies, increasing our shortage capacity and refinery capacity, and importing, refining, storing and burning foreign oil (which we could have gotten much cheaper) we did the exact opposite. Let's be careful that we do not act with equal folly now.

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 45

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. HARRINGTON. Mr. Speaker, handgun murders, like many things, seem far removed from us until we see one committed, or know a person who is involved.

The following article by Nathan Cobb may help to give those who have not seen a murder a better understanding of why strict handgun legislation must be passed by the Congress.

The article from the June 11th Boston Globe is included at this point:

GLOBE REPORTER SEES MAN SLAIN

(By Nathan Cobb)

For the last two Sundays, I have written extensive stories for The Globe on handguns and handgun crime.

They have been mainly statistical, documenting the startling connection between handgun production and handgun violence in the United States. Until this weekend, the figures did not seem very real to me.

Late Saturday night, however, I was walking through Boston's North Station with the early edition of the Sunday paper under my arm. The headline on the front page, over my name read: "Every 13 seconds, a sale—and every 58 minutes, a killing."

Suddenly, two sharp cracks cut through the station, and seconds later the statistics became human and horrifying.

There, on the dirty floor before me, a young man lay dying. He had been shot in the chest, and I was the first person to reach him. He rolled over on his back, and his legs jerked convulsively.

I bent over and lifted back his brown coat and saw blood beginning to ooze from a small hole in his shirt, near his heart.

"Polizia," he cried out, and his dark eyes looked very vacant and far away. "Polizia." He was speaking Italian.

Then he stopped twitching, and I didn't see him move again.

I had written that 8991 Americans were murdered with handguns in 1971, an 87-percent jump in five years. The increase in death closely parallels the increase in handgun production, which has quardrupled in 10 years. There is now one handgun for every 1.5 families in America.

But these were statistics, not bodies like the one in front of me. Now the statistics were real.

The man, whom I later would learn was Donald J. Raineri, of 2 Henry St., Medford, died at Massachusetts General Hospital 20 minutes after he was shot. He was 21 years old.

I now know that when someone is shot the sound is not menacing at all. In fact, because some kids upstairs at a Boston Garden rock concert I had just covered had set off a few firecrackers, I thought that was what I was hearing.

So when I heard the shots, coming from around the corner a few feet away, I just kept walking through the station. Even when I glanced to my left, around the corner and into a small indoor alley that runs next to a bar, I almost kept walking.

Drunks fall down all the time, I thought as I looked at the man rolling on the floor. He'll be all right.

But then, after a second glance, I made the connection—those weren't firecrackers and that man isn't drunk.

Other people walking in and out of the station stopped to look at this man on the floor, a few feet away. But no one, myself included, moved for at least 10 seconds. Some of us stood and stared. Others walked away. We had not seen the killer. Whoever had done the shooting had not run out the alley toward us, so he or she was probably still at the other end, in the bar. Perhaps this thought stopped us from moving closer.

There were still a lot of kids from the concert hanging around waiting for trains. One of them started toward the man, then changed his mind and came back.

"Is he all right?" an elderly woman asked me, looking very frightened.

"I don't think he is," I said, starting towards the man at last.

"Polizia," the man said as I moved closer. His legs moved. His face looked strangely calm. His eyes were open.

The eerie, frozen tableau faded quickly. As I ran for help, a young, uniformed police officer moved quickly into the alleyway. He looked at the man and hurried to a telephone. Soon, several patrolmen were running into the building. The crowd, mainly kids, pushed closer.

"A man's been shot, Sharon!"

"Oh, wow, who did it?"

"Shot. Was that guy shot?"

"Oh, my God."

They wheeled him out quickly, but they looked grim. One policeman shook his head.

Donald Raineri would live 15 minutes at the most. I was the last person to whom he had spoken.

As I walked out of North Station, I recalled a conversation I had held recently with Det. Lt. Jerome P. McCallum, acting head of Boston's homicide bureau. We had been discussing how murders, particularly handgun murders, happen.

He had said: "Someone is drinking . . . there's an argument . . . a handgun is somewhere nearby . . . someone reaches for it . . . and a killing occurs."

Today, McCallum's bureau is trying to determine if that's what happened to Donald Raineri of Medford. Today Raineri is a statistic, like 10,000 others across America will be this year.

THE WAR POWERS BILL

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ARENDS. Mr. Speaker, last week the Congress voted to override the President's veto of House Joint Resolution 542, the war powers resolution. Some of us had serious doubts about this legislation at the time. So does noted columnist and political observer William S. White, who expressed his thoughts on the subject in a column in the Washington Post on November 10, 1973. In case any of our colleagues missed it, the column follows:

THE WAR POWERS BILL: "A FLAGRANT SHAM"

(By Williams S. White)

Eight times this Congress had marched up the hill to override a presidential veto and eight times it had marched down in defeat. The score in the matter of veto contests had thus stood: Richad Nixon 8, Congress 0.

Now the scoreboard must be altered. Now,

it is Richard Nixon 8 and Congress—er, what? In short, Congress has now managed to override Mr. Nixon's objections to a bill to "reclaim war powers" of a kind Congress never had in the first place and won't have now, either.

Assuming that this current President or any other even bothers to take this extraordinary piece of paper to the Supreme Court, it is scarcely conceivable that the court would hold it constitutional—assuming that the court could manage to make out what this piece of paper really says anyhow. If, Heaven forbid, it ever should be validated by that court, the Commander in Chief of the armed forces of the United States would be no longer the President but rather the Congress of the United States—all 535 of them.

What the congressional Democrats have managed to do, with much Republican help, is to make a law—if indeed it can actually be called a law—to this effect:

(1) The President would be required to report to Congress in writing "within 48 hours"—why not eight or 88 hours?—after he had committed our armed forces to combat anywhere abroad.

(2) This combat would have to end, within 60 days, regardless of any military circumstances, unless Congress approved or unless, alternatively, Congress "authorized" some further fighting—but only, mind you, for 30 more days. (How long would the debate require in Congress and would the enemy in the meantime quit shooting?)

(3) Nevertheless, and never mind the military situation, whenever, wherever and however American troops were involved Congress could step in at any time and say nay to any further shooting by our troops. Enemy troops might not listen too well.

Since it is possible under the Constitution either to add to or to subtract from the President's powers as Commander in Chief, the plain fact is that this so-called law is the most flagrant sham ever to emerge from Congress in my 40 years of close observation of that body. For scores and scores of times American Presidents have committed American troops in emergencies without asking Congress anything about it. They acted because they had to.

For nearly 200 years Congress has had one—and only one—lawful recourse if it did not like what was afoot. It could cut off money, supplies and ammunition. It could "bring the boys home" in this fashion, but never once has it done so.

What incredibly, we are seeing now is an attempt by Congress to repeat its actions in the American Civil War of a century and more ago. A congressional "Committee on the Conduct of the War" sought to replace Abraham Lincoln as Commander in Chief. The experiment, apart from being unconstitutional, was the best—and about the only—break the South ever had.

Does any reasonable man believe that if any President committed our troops for the national interest without a formal declaration of war by Congress—and 90 per cent of our wars have been fought without such declarations—any Congress would really dare simply to blow the whistle at the end of the first quarter and announce that the fighting must now be called off?

TITLE I FORMULA

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. KEMP. Mr. Speaker, in the interests of obtaining an appropriations bill for the Departments of Labor and Health, Education, and Welfare which is responsive to the needs of our school-age population and, in particular, of saving New York schools from being unfairly penalized, I supported the motion to recommit H.R. 8877 to conference.

This conference report includes formula restrictions on title I of the Elementary and Secondary Education Act which will deprive many local educational agencies of the level of funding to which they are properly entitled. By denying each school district more than 115 percent of the amount it received in fiscal year 1973, even if the number of eligible children in the school district has increased by more than 15 percent, this bill sets in stone old census data which no longer accurately reflect the needs of our school children.

My own State of New York stands to lose $10 million should this conference report be enacted in its present form. Just since 1965, the number of eligible children in New York State has increased by 140 percent. On this basis, New York deserves an increase in funds of about 40 percent.

By recommitting this bill to conference, I am hopeful that a final bill will emerge which upholds the principles of title I. The purpose of title I, ESEA program is to provide financial assistance to local educational agencies serving areas with concentrations of children from low-income families to initiate, expand and improve their educational programs to meet the needs of educationally deprived children. If we are to adhere to the intent of title I, then we clearly must distribute funds in a manner which reflects migrations of disadvantaged children, as measured by the 1970 census.

To provide a smooth transition and to allow States a reasonable period to adjust their budgets to the new census data, I believe the formula should provide that every school district will receive not less than 90 percent of the amount it received in fiscal year 1973. While States in the aggregate should be limited to receiving no more than 20 percent above the amount received in fiscal year 1973, there should be no ceiling on the amount a local school district might receive.

To assure that the funds in this bill will be directed to where they are currently and urgently needed, H.R. 8877 must be recommitted to conference.

REESTABLISH THE POST OFFICE DEPARTMENT AS A DEPARTMENT OF THE EXECUTIVE BRANCH

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. SISK. Mr. Speaker, I am today introducing a bill to abolish the present Postal Service and reestablish the Post Office Department as a department of the executive branch of the Government.

I do this reluctantly because I was among those of us who supported the Postal Reorganization Act of 1970 in the hope of improving our then deteriorating postal service.

Now, complaints about the Postal Service and poor mail delivery make up the larger and more constant part of the mail from my constituents.

People are angry, and they tell me so in no uncertain terms. The fact that the new Postal Service has been put under a "more efficient, more businesslike" semi-private corporation was well publicized in advance and has been retold in many newspaper and magazine articles, yet people are astonished to learn the Post Office is no longer part of the Federal Government.

Congress still votes the money which is officially designated "for the purpose of putting postal operations on a self-supporting basis." Frankly, that purpose does not appear to be about to be achieved. The postal corporation keeps making excuses, but it is obvious the moneysaving measures it has instituted are not working. The sophisticated machines that were supposed to electronically sort the mail at superhuman speeds either do not work or they break down easily and repairs are both expensive and time consuming. Probably even more expensive is the slump in the morale of postal workers, many of whom are begging their Congressmen to rescind the charter of the corporation and take back control of the post office.

The biggest bargain in the world used to be the tiny 2-cent stamp. In the days when letter mail cost 2 cents, residential deliveries were twice daily and letters went coast-to-coast in a week. Now, letter mail costs 8 cents, delivery is once-a-day, and you are lucky if your letter goes coast-to-coast in a week. We have airmail which takes 13 days to go from San Francisco to Long Beach—not usually, of course, but the fact this can happen at all is an indictment of the service.

The effect of the Postal Service on our economy is almost beyond calculation. Prompt communication is the lifeblood of business. A few hours lost can cost thousands of dollars in factory downtime, can cause a business deal to fall through, can cause contract defaults and penalties. Multiply these instances by the thousands, and mail delays can cost millions. Far more, in fact, than the postal deficits which caused the shift in management. On the positive side—prompt, reliable mail delivery can help make our economic system function more efficiently. I am inclined to believe we should treat the post office as we treat any other Federal department. None of the others are required to be self-supporting, and they contribute far less.

The older, more experienced employees were encouraged to take early retirement. As overtime piled up, many overworked employees simply quit. At the same time, mail volume was growing toward the 100 billion pieces mark—there were 87.1 billion last year, and the 100 billion mark is forecast for the late 1970's. It is obvious some changes have to be made, or the whole system will 3,475 sacks of Christmas rush mail lay break down as it did in Charleston when untouched for weeks after the holidays.

The more complex a machine or a system is, the more parts it has to break down, short-circuit, or wear out. Engineers know the secret of reliability is to simplify. The fewer parts, the better. The more direct the solution, the better it works—and keeps working. What we need to do is simplify our system. For instance, three standard sizes of envelopesvelopes instead of 50 could save huge sums on handling and on machines that sort mail.

Congress no longer controls the post office. Some of you, my colleagues, though your patience is wearing thin, appear willing to give the corporation a few more years in which to make good. Can we afford it? I do not think so.

EQUAL CREDIT FOR WOMEN

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. PEYSER. Mr. Speaker, I am today introducing the Equal Credit Act, a bill which I hope will end the discrimination that exists against women who try unsuccessfully to get an extension of credit for housing, education, jobs, and consumer products. It would be unlawful for any creditor or credit card issuer to discriminate on account of sex or marital status. This is an area that has been long neglected, and the result has been a serious denial of equal status to many women.

I would like to point out some of the findings of the National Commission on Consumer Finance, which took a careful look at this problem and concluded:

(1) Single women have more trouble obtaining credit than single men.

(2) Creditors generally require a woman, upon marrying, to reapply for credit—usually in her husband's name. This is not true for men.

(3) Creditors often do not count a wife's income when a married couple applies for credit.

(4) Creditors often will not extend credit to a married woman in her own name.

(5) Widows or divorced women often have trouble re-establishing credit.

There is no apparent financial reason for credit companies to deny credit to women who meet the same requirements as men. But they do. Most evidence suggests that women are at least as good credit risks as men. David Durand concluded back in 1941 that women are better credit risks than men. He also concluded that there is no difference in risk between married and single persons. In the meantime, a woman's credit rating is often hampered by the fact that many States will not grant her the legal status to contract debts in her own name.

The denial of equal credit opportunities to women, married or single, hurts the entire economy. It affects mobility, educational opportunities, life style, product sales, job opportunities. For a married woman, it affects her family's status as well as her own. As more and more women become part of our permanent work force, it is imperative that they be able to use credit equally with the other half of the population.

It is a very serious matter in our society today when a person is unable to obtain credit, especially when they are entitled to it. People use credit cards or loans to buy cars, houses, clothes, gas to get to work, or even finance an education. Any woman who cannot lawfully obtain credit in her own name has a large disadvantage in trying to improve her lot in life.

Mr. Speaker, the legislation which I have introduced today is strong action, but strong action is required so that women may obtain their lawful rights and we can strengthen our economy. I hope Congress will see fit to act quickly on this bill and end this form of discrimination.

The text of the bill follows:

A BILL TO PROTECT DISCRIMINATION ON ACCOUNT OF SEX OR MARITAL STATUS AGAINST INDIVIDUALS SEEKING CREDIT

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 "Equal Credit Act".

PROHIBITION OF DISCRIMINATION ON ACCOUNT OF SEX OR MARITAL STATUS

SEC. 2. (a) (1) It shall be unlawful for any creditor or card issuer to discriminate on account of sex or marital status against any individual with respect to the approval or denial or terms of credit in connection with any credit sale, any loan or mortgage, or any other extension of credit, or with respect to the issuance, renewal, denial, or terms of any credit card. It shall be unlawful for any lessor of real or personal property to discriminate on the basis of sex or marital status against any individual entering into a lease agreement with respect to such property.

(2) For the purpose of extending credit or issuing, renewing, denying, or determining the terms of any credit card—

(A) with respect to a married couple or either spouse, any creditor or card issuer shall take into account the combined incomes of both spouses if both spouses are obligated; and

(B) with respect to any individual, any creditor or card issuer may not rely on the probability or assumption that—

(i) the income of such individual may be diminished because of the sex or marital status of such individual; or

(ii) the rate of increase in the income of such individual may be affected by the sex or marital status of such individual.

(b) (1) Any creditor or card issuer who discriminates against any individual in a manner prohibited by subsection (a) is liable to such individual in an amount equal to the sum of—

(A) in the case of an individual action, not less than $100 nor more than $1,000; or

(B) in the case of a class action, not more than the greater of $50,000 or 2 per centum of the net worth of the creditor or card issuer, as the case may be, as of the end of the creditor's or card issuer's fiscal year immediately preceding the fiscal year in which the discrimination occurred; and

(C) in the case of any successful action to enforce the foregoing liability, the costs of the action together with a reasonable attorney's fee as determined by the court.

(2) Any action under this section may be brought in any court of competent jurisdiction during the one year period commencing on the date of occurrence of the violation.

ADMINISTRATIVE ENFORCEMENT

SEC. 3. (a) Compliance with the requirements imposed under this Act shall be enforced under—

(1) section 8 of the Federal Deposit Insurance Act, in the case of—

(A) national banks, by the Comptroller of the Currency;

(B) member banks of the Federal Reserve System (other than national banks), by the Board of Governors of the Federal Reserve System;

(C) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System), by the Board of Directors of the Federal Deposit Insurance Corporation;

(D) banks (other than cooperative banks) which are not insured by the Federal Deposit Insurance Corporation, by the Board of Directors of the Federal Deposit Insurance Corporation;

(2) section 5(d) of the Home Owners' Loan Act of 1933, section 407 of the National Housing Act, and sections 6(i), and 17 of the Federal Home Loan Bank Act, by the Federal Home Loan Bank Board (acting directly or through the Federal Savings and Loan Insurance Corporation), in the case of any institution subject to any of those provisions and any building and loan, savings and loan, or homestead association, or cooperative bank which is not subject to any of those provisions;

(3) the Federal Credit Union Act, by the Director of the Bureau of Federal Credit Unions in the case of any credit union, whether or not insured in accordance with the provisions of such Act.

(b) For the purpose of the exercise by any agency referred to in subsection (a) of its powers under any Act referred to in that subsection, a violation of this Act or any regulation prescribed by such agency under this Act shall be deemed to be a violation of a requirement imposed under that Act. In addition to its powers under any provision of law specifically referred to in subsection (a), each of the agencies referred to in that subsection may exercise, for the purpose of enforcing compliance with this Act, any other authority conferred on it by law.

(c) Except to the extent that enforcement of this Act is specifically committed to some other agency under subsection (a), the Federal Trade Commission shall enforce such requirements. For the purpose of the exercise by the Federal Trade Commission of its functions and powers under the Federal Trade Commission Act, a violation of this Act or any regulation prescribed by the Federal Trade Commission under this Act shall be deemed a violation of a requirement imposed under that Act. All of the functions and powers of the Federal Trade Commission under the Federal Trade Commission Act are available to the Commission to enforce compliance by any person with this Act, irrespective of whether that person is engaged in commerce or meets any other jurisdictional tests in the Federal Trade Commission Act.

(d) Any agency referred to in subsection (a) and the Federal Trade Commission shall prescribe regulations to effectuate the provisions of this Act.

CRIMINAL SANCTION

SEC. 4. Whoever willfully and knowingly violates any provision of section 2 or any regulation prescribed to enforce the requirements imposed under such section shall be fined not more than $5,000 or imprisoned not more than one year, or both.

DEFINITIONS

SEC. 5. For purposes of this Act, the term—

(1) "Credit" means the right granted by a creditor to a debtor to defer payment of debt or to incur debt and defer its payment.

(2) "Credit sale" refers to any sale with respect to which credit is extended or arranged by the seller.

(3) "Creditor" means any person who extends, or arranges for the extension of, credit in connection with loans, sales of property or services, or otherwise, whether or not a finance charge or late payment charge is required.

(4) "Credit card" means any card, plate, coupon book, or other credit device existing for the purpose of obtaining money, property, labor, or services on credit.

(5) "Card issuer" means any person who issues a credit card, or the agent of such person with respect to such card.

(6) "Mortgage" means that term as defined by section 201 of the National Housing Act.

(7) "Lessor" means one who grants use and possession of real or personal property in consideration of something to be rendered.

EFFECTIVE DATE

SEC. 6. This Act shall take effect on the ninetieth day after the date of its enactment.

SPEECH BY DR. EDWARD J. ANDERSON

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mrs. HOLT. Mr. Speaker, the education of our youth is of supreme importance to all of us who have the responsibility of holding public office.

When new and innovative educational concepts are put forward by respected professionals in that field, they become a matter of great interest to those of us who must make critical policy decisions regarding new programs.

In a recent address, Dr. Edward J. Anderson, superintendent of the Anne Arundel County schools in my district, outlined a program that I feel warrants our attention.

I will not attempt to paraphrase his articulate exposition of this interesting proposal. I, therefore, submit the full text of his speech for consideration by my colleagues:

SPEECH BY DR. EDWARD J. ANDERSON

I am pleased to be here with you this evening to talk with you about the relationships of the public schools and the organizations you represent.

Before I finish this evening, I should like to make a proposal that I hope will be of some interest to you. Briefly, the proposal is that we develop a joint effort for the education of youth between the schools of Anne Arundel County and the businesses and the governmental institutions within the County. Or, in other words, between the schools and you who employ the product of the schools.

I believe this proposal is of some consequence. It is not a new idea. In fact, this idea proposes to build on a beginning which is already here. That we utilize knowledge which we have already acquired to improve the education of our youth.

I am sure that everyone in this room has read considerably during the last few years about the problems of the school systems, not only of Anne Arundel County but of the Nation. You are well aware that there are critics who believe that the public school system has been a failure, and that it needs a drastic overhauling. There are those who would go so far as to do away with the public school system.

I have sharp disagreement with their point of view and I should like to take an opposing position that the public school system of this Nation, and Anne Arundel County specifically, has been extremely successful. At the same time, I should like to make the point that the school system does, indeed, need to alter its direction and provide more realistically for the education of people.

In order to make those changes which should be made in the school systems of this nation and Anne Arundel County specifically we will have to work cooperatively with you. The school system cannot go it alone. Without going into specifics we would have to admit that the public school system of this nation, and therefore of this county, have been successful. The economy of this nation, the industrial might of this nation, the technological advancements of the people of this nation—and even the standards of living of the people of this nation are what they are today mainly because of the public school system of this nation. Without the public school system this nation would not have been the first to place men upon the moon.

One of the great achievements of this nation has been our ability to produce an ever increasing abundance of food by fewer and fewer people. The public school system has played a major role in the development of agri-business and through that development has freed its people from the land, therefore making it possible for the computer age to burst upon us. Were it not for our system of public education the world would not be what it is today.

Instead of being apologetic about the success of the public school, each of us should be proud of what we have done. Despite our successes there are still youth and adults who cannot read effectively and who cannot adjust to this highly sophisticated society our educational system has been responsible for creating.

We do need to update our educational concepts—we do need to improve public education for youth, and I believe that the public school system has attempted to do too much on its own and that public education should delimit its activities, rather than to expand them. Did you know that the Anne Arundel County public school system runs a transportation system which moves over 100,000 passengers a day and provides more than 350,000 lunches a month?

This is only a sample of the things we do before we get to our task of educating young people. There are those who would add to our programs—who would have us take care of the health of the people, even take care of the rearing of children, almost from infancy. The public school system cannot be all things to all people. It can only be one of the institutions responsible for the welfare of the nation and the education of its people.

I would now suggest to you that you who employ the products of the school system also must now become an integral part of the education of youth, and I would add—adults. No longer can any firm which employs the product of the school system expect that system to produce workers equipped to carry out the complex duties you expect from them.

Quite seriously, I would like to propose to you this evening that we set the stage here in Anne Arundel County for the development of a joint venture between you and the school system to plan and implement a concept of education and work which will truly meet the needs of human beings.

I should like to support my proposal with some data. At the present time, in our school system, we have approximately 5,000 youth in each of our three top grades. These are young people of 16, 17 and 18 years of age who will soon be coming into the job market.

At the present time we have a co-op student census of 2,393 students. Many of you here employ students today in our cooperative work study program. As a matter of fact, as of this time, 293 firms are presently employing 697 students. Specifically, in automated data processing 161 students; in cooperative office education 134 students; in cooperative occupational programs 165 students; in distributive education 146 students—in health occupations 38 students; and in trade and industry 53 students. These students are currently employed by the county, state and federal governments—by the Treasury Department, the Motor Vehicle Administration, the Defense Department, fire department, telephone company, automobile dealers, savings banks, insurance companies, retail and department stores, doctors, hospitals, pharmacists, nursing homes, engineering firms, hotels, motels, and restaurants, and others. This is an extensive array of employees which has the possibility for providing the basis for the development and implementation, for what could be, in my opinion, a most exciting and effective education program.

The proposal I make to you this evening is one that takes the concept of work and broadens it into an extensive program of school and work far beyond our modest co-op program.

It appears to me that the concept of work is one which must become an integral part of the public educational system. As a point of interest, one of the goals of the public school system of Anne Arundel County is that no young person should finish twelve years of schooling in the county schools without having the capability of earning a living. Toward this end the Board of Education has developed and is presently implementing an extensive concept of career education. This concept of career education begins in the elementary schools and will be expanded through all levels of the school system. The attempt is to have youngsters at all ages become familiar with the concept of work, to understand why work is important to every person, and to try to understand the great variety of job opportunities which will be available to them as they grow up. The concepts of work are being integrated into the schools' curriculum. The young person begins to realize that reading and arithmetic are related to work at an early age. The young persons realize that reading is an important tool which will be needed throughout their lives. There is a realization that the school system must provide human beings with the tools for self-education and those basic tools are no different now than they were many centuries ago. Those tools being reading, arithmetic and the ability to express one's self orally and in writing—the ability to listen and to understand, and the ability to get along with one's fellow man.

There is today in our schools a realization that the school cannot provide real life situations which are so absolutely necessary for the development of youth if youth is to assume its place as adults in our society in an orderly manner. The oftentimes tragic events of the last decade have demonstrated this point to us in the most dramatic ways. Now we have legally reduced the age of maturity to age 18, and this act will most certainly have an impact on all of us.

We recognize that the youth need to engage in productive activities with older persons. Youth have been isolated from adults in our society for these many years and there is no question but that in recent years those people working in education are coming to realize many of our problems spring from this point alone. The young people are drawing their models from other young people. During the last decade we have seen the result of very active youth using other youth for models. Those persons who study youth and its needs appear to agree that it is essential for our society to provide adult models for youth. Such an adult model is necessary for the development of human beings as they progress from youth into adulthood.

One extremely important aspect of education is gradually being recognized, and that is that education should be an appendage for work, and work should not be the appendage of education, and that it may well be that the most effective and efficient way to provide the needed adult model for youth is through the concept of work.

Let us expand on this point for a moment. Work is whatever a human being does for a living. All of us here work. Too often, for young people, work and vocational education have been equated to blue collar jobs. To me, work is whatever the young person should select as a means of earning a living.

The proposal I make to you this evening is one which would take into consideration the goals, interests and abilities of youth. The details of such a proposal cannot be developed here. Indeed much planning is yet to be done. In broad general terms school and work would cover a twelve month period of time. It would not be limited to our present short term work-study program but the work part of the program would cover a minimum of from two to three years of the student's educational program. The kind of work and study schedule would be adapted to the needs of the students and the employer. It may well be that there would be no regular school year as we now know it.

It will be necessary to set up safeguards to prevent the exploitation of youth, for we would never want to go back to the days when children were exploited for commercial gain. The exploitation of children has been a black mark on humanity. On the other hand, we have moved too far in the direction of no work for youth, and it is necessary to make some adjustments so that youth can have their place in adult life. There would also have to be safeguards to protect the jobs of adult workers. For we are not proposing the replacement of the adult worker with the youth worker.

We would also need to work out arrangements with you concerning the many details which become obvious as we plan this joint venture. We would have to set up a task group to explore the potentials of our proposals and develop a set of operational guidelines. Cognitive skills would probably be the primary task of the school. Job oriented skills might well be the primary task of the employer. Schools such as our vocational-technical center would certainly be used in the training of skills in certain areas for both youth and adults. That excellent facility could serve to provide advanced training for adults already on the job. The staff to teach the youth, both in the school and in the service of the employer, would need to work together and plan together to insure a proper education in both cognitive and job skills.

I would like to hazard a guess that when we mount such a program there will be major benefits for all—the student, the employer, and the adult employee. And that youth will take its place in society without disrupting society. Adults, also, would profit from the vitality of youth and the relationship with youth. This proposal is neither radical nor unique. I believe it is the result of the evolutionary process of education.

I should like to call to your attention a report that is going to be released very shortly by the National Institute for Education. The report is titled "Youth, Transition to Adulthood". It was prepared by a panel on youth of the President's Science Advisory Committee. This panel was chaired by Dr. James Coleman, of Johns Hopkins University. The report focuses on the problems of youth, education and the process for assimilating youth into the adult society. This is an absolutely essential process, for each of us was once a youth and the youth of today will become adults. That is an inevitable process.

MONTHLY CALENDAR OF THE SMITHSONIAN INSTITUTION

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. SMITH of New York. Mr. Speaker, it is my privilege to insert in the RECORD each month the monthly calendar of the Smithsonian Institution. The November calendar of events follows:

NOVEMBER AT THE SMITHSONIAN

THURSDAY, NOVEMBER 1

Free Film Theatre.—*The Congo*. Narrated by Julian Bond, this film traces 1500 years of Congo history through its art and culture, and includes the music and dance of the Watusi Wagenia, Bakuba and Bapende, 12:30 p.m., History and Technology Building auditorium. First in a series on Black African Heritage sponsored by the Smithsonian Associates Women's Committee.

FRIDAY, NOVEMBER 2

Exhibition.—*Shaker*. Commemorating the 200th anniversary of the arrival of the Shakers in this country. The Shaker achievement is summed up in this three-part exhibition of Shaker furniture and objects from the Faith and Edward Deming Andrews Collections; textile and costume renderings from the Index of American Design; and inspirational drawings that include "The Tree of Life," the Shaker symbol. The Renwick Gallery, through April 7, 1974.

Exhibition.—*Tribal Costumes of Southern Africa—Watercolor Portraits by Verda V. Peters and Olemara Peters*. Over 400 watercolors documenting the colorful originality of the clothing of the peoples of Southern Africa. Museum of Natural History.

SATURDAY, NOVEMBER 3

Films for Kids.—*World Without Sun*, by Jacques Cousteau—one of the great documentary films. 2 p.m., Baird Auditorium, Natural History Bldg. $3 general, $2 Associates. Call 381-5157.

Rehabilitation Medicine Films.—*Candidate for a Stroke; Making a Difference*. Shown in conjunction with the current exhibition *Triumphing over Disability: 200 Years of Rehabilitation Medicine in the United States*. Other related films are shown each Friday, 12:30-2 p.m., History and Technology Building auditorium. Sponsored by the Smithsonian Division of Medical Sciences.

SUNDAY, NOVEMBER 4

Lecture/Discussion.—*Uses of African Architecture in Black America*, by Gregory S. Peniston, Professor, Howard University Department of Architecture, 3 p.m., Anacostia Neighborhood Museum, 2405 Martin Luther King Jr. Avenue, S.E.

OPEN HOUSE

National Collection of Fine Arts. A behind-the-scenes look at the Conservation Laboratory, Library research facilities, Graphics Workshop, Print and Drawing Department, Frame Shop, Silkscreen Shop, and shipping and storage areas; talks by the curators; tours of the collections. Refreshments will be served. 2-5 p.m.

Homage to George Gershwin & Todd Duncan.—Celebrating the 75th anniversary of the birth of composer George Gershwin and the 70th birthday of singer Todd Duncan. Guest of honor Duncan, who played *Porgy* on Broadway, is joined by singer Joan Morris, composer William Bolcom on the piano and author Kay Halle in a tribute to Gershwin. Reception follows. Tickets: $7.50 general, $6 Associates, 8 p.m. The film Porgy and Bess, will be shown at 3 p.m. Film tickets $2 general, $1.50 Associates. Call 381-5157 for information.

MONDAY, NOVEMBER 5

Lecture/Discussion.—*African Traditional Medicine*, by Nana Kwabena Brown, 7 p.m., Anacostia Neighborhood Museum.

Art Lecture.—*Sculpture at the Philadelphia Centennial, 1876*. Dr. David Sellin, postdoctoral fellow at the National Collection, will discuss the character, background and significance of the sculpture of the Centennial Exposition of 1876—the mid-point in our national history and a turning point in American Art. First in a series of four lectures on American sculpture covering the period 1830-1930. 12:30 p.m., National Collection of Fine Arts. Remaining lectures: Nov. 12, 19, 26.

WEDNESDAY, NOVEMBER 7

Slides.—*African Children*. Travelogue about black children in Nigeria and Gambia. Created especially for children by Fletcher Smith of the museum staff, the program is accompanied by various artifacts that can be touched and handled. 10 a.m., Anacostia Neighborhood Museum.

Free Film Theatre.—*The Bend of the Niger*. Narrated by Ossie Davis, this film follows one of the continent's great rivers from West Africa to the Atlantic Ocean, and contrasts the nomadic and river peoples. 12:30 p.m., History and Technology Building auditorium.

THURSDAY, NOVEMBER 8

Free Film Theatre.—*The Bend of the Niger*.—Repeat. See November 7 for details.

Creative Screen.—*Autumn: Frost Country*—the poetry of Robert Frost, the music of Erik Satie and the photography of Fred Hudson combine to create a *cinepoem*. *Glass—Its Design, Shape and Color*—the manufacture of handmade glass at the Kosta Glasbruk in Sweden; *A Search for Form with Harvey Littleton*—Littleton discusses technique and esthetics in his studio and demonstrates his personal way of working with glass; *Glas-leerdam*—hand craftsmanship and mechanized mass production compared in a Dutch factory. Four-film program begins 11 a.m., 12:15, 1:30 p.m. The Renwick Gallery.

FRIDAY, NOVEMBER 9

Rehabilitation Medicine Films.—*So They May Walk*—distributed by the Sister Kenny Institute; *Help for Young Hearts; Back on the Job*—distributed by the Washington Heart Association. 12:30 p.m., History and Technology Building auditorium. Sponsored by the Division of Medical Sciences.

SUNDAY, NOVEMBER 11

String Bands Old and New.—*Bill Monroe*, father of blue grass music, presents the first concert in the series, along with his group, the *Blue Grass Boys*, and two guest fiddlers, *Charles Smith* and *Tater Tate*. Free workshop—4:30 p.m. Concert—8 p.m. $5.50 general admission; $5 Associates. Series subscription (3 concerts), $15, Baird Auditorium, Natural History Building. Call 381-5395 for reservations. Sponsored by the Division of Performing Arts.

Contact Africa.—An afternoon of dances, songs and games of Africa directed by Kojo Baden, of Ghana. 3 p.m., Anacostia Neighborhood Musuem.

MONDAY, NOVEMBER 12

Art Lecture.—*The Public Monument in American Sculpture*, 1880-1930. Michael Richman, Assistant to the Director, National Portrait Gallery, lectures on the numerous portrait statues and memorials now considered an important American art form. 12:30 p.m., National Collection of Fine Arts.

Concert.—*Janos Scholz* performs sonatas by J. S. Bach, Brahms, and Debussy on the viola da gamba and cello, with *Helen Hollis* of the Smithsonian Division of Musical Instruments, on harpsichord and piano. Reception follows. 9 p.m. Hall of Musical Instruments, History and Technology Building, $8

general, $6 Associates. Call 381-5157 for ticket information.

Audubon Lecture.—*Wildlife by Day and Night*, by Karl Maslowski. 5:30 and 8:30 p.m., Baird Auditorium Natural History Building. $2.50 general admission; $1.50 members. Children's tickets $1.50 and $1. Co-sponsored by the Audubon Naturalist Society and the Smithsonian Resident Associates. Call 381-5157 for ticket information.

TUESDAY, NOVEMBER 13

Oriental Art Lecture.—*Two White-Robed Kannon in the Freer Gallery*, by Yoshiaki Shimizu of Princeton University. 8:30 p.m., Freer Gallery of Art. Exhibition galleries open prior to the lecture at 6:30 p.m.

WEDNESDAY, NOVEMBER 14

Tie-Dye Demonstration by James Campbell, exhibits specialist. Persons attending may bring an object and participate in a workshop. 10 a.m., Anacostia Neighborhood Museum. For more information, call 678-1200.

Free Film Theatre.—*The Slave Coast*—an exploration of the Southern part of West Africa with visits to the Yoruba, with their distinctive art and talking drums, and to the Ashanti, renowned for their use of gold in ceremonial objects. Narrated by Maya Angelou. 12:30 p.m., History and Technology Building auditorium

American Aviation Historical Society. 8 p.m., National Air and Space Museum conference room. Public is invited.

THURSDAY, NOVEMBER 15

Free Film Theatre.—*The Slave Coast*. Repeat. See November 14 for details.

National Capital Shell Club.—Monthly meeting and program. 8 p.m., Room 43, Natural History Building. Public is invited.

Exhibition.—*Boxes and Bowls: Decorated Containers by 19th Century Haida, Tlingit, and Tsimshian Indian Artists*. Eighty carved, painted, bone-and-shell, inlaid-wood and carved stone boxes, and dippers of horn. Second exhibition in a series of significant creative work by Indians of North America. The Renwick Gallery through November 1974.

Lecture.—*The Rococo in English Pottery and Porcelain*. J. V. G. Mallet, Deputy Keeper, Ceramics Dept., Victoria and Albert Museum, discusses the effect of 18th century imported Rococo style on the English porcelain industry. 8 p.m., Old Smithsonian "Castle" Building. $3 general; $2 Associates. Call 381-5157.

FRIDAY, NOVEMBER 16

Rehabilitation Medicine Films.—*The Person Within*—distributed by the Clark School for the Deaf; and a film on the Burke Rehabilitation Hospital in New York. 12:30 p.m., History and Technology Building auditorium. Sponsored by the Division of Medical Sciences.

Exhibition.—*Air Traffic Control*. The history and techniques from the need and early concepts as they developed in the 1920's to the introduction of radar and up through the sophisticated equipment and personnel used in present-day systems that control millions of passengers, and vast mail and freight service. Exhibit includes realistically simulated air traffic control operations and simulated flight with slides and movies shown in an airliner cabin "theatre" to tell the story of behind-the-scenes happenings of air traffic control and controllers. Arts and Industries Building.

SATURDAY, NOVEMBER 17

Story of Ram.—Indian scholar *Suvira Kapur* relates the timeless Hindu epic of Ramayana, in a program designed for young people. 11 a.m. National Collection of Fine Arts. $3 general, $2 Associates. Call 381-5157 for tickets.

SUNDAY, NOVEMBER 18

Poetry/Song/Dance.—*360° of Africa*, performed by *The People's Poets*. Special guests include Joan Hillsman and the Hillsman Gospel Singers, and Lisa Woolfolk, Miss Black D.C. of 1971. Maurice Watson will M.C. 5 p.m., Anacostia Neighborhood Museum.

Jazz Heritage Concert.—Earl Hines, father of jazz piano, opens this series with a rare solo performance. 8 p.m., Baird Auditorium, Natural History Building. $4.50 general admission, $4 Associates. Series subscription (8 concerts), $32. Call 381-5395 for reservations. Sponsored by the Division of Performing Arts. Free workshop, 4:30 p.m.

MONDAY, NOVEMBER 19

Kerala Kalamandalam Kathakali.—India's greatest theatrical company presents two evenings of acting, dancing and music, with elaborate make-up, colorful costumes and bejewelled headdresses. 8 p.m., Baird Auditorium, National History Building. Prices: $5.50 general admission, $5 Associates, $4 students and senior citizens. Call 381-5395 for reservations. Sponsored by the Division of Performing Arts.

Performing Arts Lecture.—*James DePriest*, Associate Conductor, National Symphony Orchestra, discusses past, present and future of the symphony. 7:30 p.m. $6 general, $5 Associates. Call 381-5157 for ticket information. Sponsor-Resident Associates.

Art Lecture.—*Modern Tendencies in American Sculpture 1910-1930*. Roberta Tarbell, currently doing research under a Smithsonian fellowship, will speak on the development of modern American sculpture in the early 20th century, and the innovators who were influenced by cubism and primitive African and archaic Greek sculpture. 12:30 p.m., National Collection of Fine Arts.

TUESDAY, NOVEMBER 20

Kerala Kalamandalam Kathalkali.—Second evening of performance. See November 19 for details.

WEDNESDAY, NOVEMBER 21

Luncheon Forum.—*Early History of the Space Age*. Informal discussion led by Dr. Eugene M. Emme. 12 noon. Room 449, Smithsonian Institution "Castle" Building. Sponsored by the National Air and Space Museum.

FRIDAY, NOVEMBER 23

Rehabilitation Medicine Films.—*Kevin Is Four*, a young boy learns to use an artificial arm and leg; *Better Odds for a Living*, distributed by the Washington Heart Association. 12:30 p.m., History and Technology Building Auditorium. Sponsored by the Division of Medical Sciences.

SATURDAY, NOVEMBER 24

The American Music Group.—19th Century American Music performed by 35 singers under the direction of Neely Bruce. A Longfellow poem, a child's fairy tale, and a theater piece are included, all set to music by American composers. 8:30 p.m., Hall of Musical Instruments, Museum of History and Technology. $3.50 general admission, $3 Associates. Series subscription (13 concerts), $25. Call 381-5395 for reservations. Sponsored by the Division of Musical Instruments, Friends of Music at the Smithsonian and the Division of Performing Arts.

SUNDAY, NOVEMBER 25

Anacostia Neighborhood Museum.—A varied afternoon program that will include a slide presentation on *African Influences on Afro-American Art*, and a sampling of authentic Ethiopian food for refreshment. Stanley Anderson, a native Anacostian, former member of the City Council and a founder of the Neighborhood Museum, will be honored. 3 p.m., Anacostia Neighborhood Museum.

MONDAY, NOVEMBER 26

Art Lecture.—*American Neoclassical Sculpture in the National Collection of Fine Arts*. *Russell Burke*, currently with the NCFA, will speak on the production process and the patronage that encouraged the 19th century American sculpture. Final lecture in this series. 12:30 p.m., National Collection of Fine Arts.

WEDNESDAY, NOVEMBER 28

Museum Careers Seminar.—Practical demonstrations by the staff of the skills used in the museum world. 10 a.m., Anacostia Neighborhood Museum. Will continue on November 29.

Free Film Theatre.—*Africa's Gift*. The history, culture, and beauty of Africa and its profound and direct influence on American culture. Narrated by Gordon Parks. 12:30, 1:30 p.m. History and Technology Building Auditorium. (This film will not be repeated on Thursday.)

The Ascent of Man.—*Lower Than the Angels*—first in a series of 13 films produced by BBC TV and Time-Life Films featuring Dr. Jacob Bronowski and his personal views of the history of man seen through a history of science. Sponsored by the Smithsonian's Free Film Theatre and the Office of Seminars. Remaining films are scheduled for 12 successive weeks. All films begin 8 p.m., Wednesdays, Baird Auditorium, Natural History Building and are repeated 12:30 p.m., Thursdays, History and Technology Building auditorium.

Ascent of Man.—*Lower Than the Angels*. 12:30 p.m., History and Technology Building auditorium. Repeat. See November 28 for details.

Creative Screen.—*Autumn; Frost Country; Glass—Its Design, Shape and Color; A Search for Form with Harvey Littleton; Glas-leerdam*. Repeat. See November 8 for details.

Exhibition.—*Modern American Woodcuts*. Survey of 20th century American woodcuts reveals the expressiveness and attractiveness of this art form that began in ancient times. Artists represented include Milton Avery and Leonard Baskin. National Collection of Fine Arts, through January 27, 1974.

Rehabilitation Medicine Films.—*Sunrise at Campobello*, distributed by Warner Brothers, Inc. 12:30 p.m., History and Technology Building auditorium. Sponsored by the Division of Medical Sciences.

OTHER EVENTS—SPONSORED BY THE SMITHSONIAN RESIDENT ASSOCIATE. FOR FURTHER INFORMATION—CALL 381-5157

Fall Film Trips.—Some of the most outstanding independent films being made in the country today. Nov. 4, 11, 18 and 25-5:30 p.m., History and Technology Building auditorium. $1.25 general; $.75, Associates; $1 students.

Art Series.—*Pop, Minimal and Conceptual*. Max Protetch discusses the art of Andy Warhol, Robert Morris, and Christo, and the movements with which they are associated. Nov. 7, 14, Dec. 5. Series—$16 general, $12 Associates.

The Women's Movement—Nov. 8—Phillis Schlafly, opposition leader to Equal Rights Amendment; Nov. 15—Midge Decter; Nov. 29—Robin Reisig. 8 p.m., History and Technology Building auditorium. Individual lectures: $8 general; $6 Associates.

Sonnets and Lyrics.—Two evenings with four major American poets. Nov. 9—John Ashbery; Josephine Jacobson. Dec. 7—Lucille Clifton; Michael Lally. 8 p.m. Series tickets $9 general; $7 Associates. Individual tickets, $5 and $4.

Luncheon Talks With Museum Directors.—Nov. 14—Wilbur Harvey Hunter, Director, Peale Museum, Baltimore. Nov. 28—James Biddle, President, The National Trust for Historic Preservation. 12 noon. Individual tickets, $12.50 general; $11.50 Associates. Cocktails and buffet included.

Chinese Art Seminar.—Two-day intensive survey. Joan Stanley-Baker, art historian and author, covers the development of Chinese painting and calligraphy, from the dawn of artistic awareness to the present. Nov. 17 and 18 (10 a.m. and 11 a.m.). $30 general; $20 Associates. Tea, refreshments included.

DEMONSTRATIONS

Museum of History and Technology

Steam Engines. Wednesday through Friday, 1-1:30 p.m. 1st floor.

Machine Tools. Wednesday through Friday, 1–2 p.m. 1st floor.

Spinning and Weaving—Tuesday through Thursday, 10 a.m.–2 p.m. 1st floor.

Printing and Typefounding: Monday, Tuesday, Thursday, Friday, 2–4 p.m., 3rd floor.

Musical Instruments. A selection of 18th and 19th century instruments, and American folk instruments, Hall of Musical Instruments, 3rd floor, 1:30 p.m. Mondays and Fridays—keyboard; Wednesdays —lute and guitar; Thursdays—folk.

Music Machines—American Style. Mechanical and electronic music machines. Monday through Friday, 1 p.m., 2nd floor. As part of this exhibit, excerpts from musical films are shown continuously.

Dial-a-Museum.—737–8811 for daily announcements on new exhibits and special events.

PUPPET THEATRE

Arts and Industries Building

Patchwork.—An original anthology of children's songs, poems and stories performed by the puppets and people of Allan Stevens and Company. Wednesdays-Fridays, 10:30, 11:30 a.m., Saturdays and Sundays, 11:00 a.m., 12:30 and 2:20 p.m. Admission: $1.25 children or adults; $1 Smithsonian Associates; 75 cents, groups of 25 or more. For reservations call 381–5395. Tickets, as available, will be sold at the time of performance. No holiday performance.

Experimentarium

Experimental prototype of the Spacearium that will open in 1976. Demonstration show simulates an Apollo launch, explains the different colors of stars, describes pulsars and shows an imaginary quasar on the edge of the universe. Half-hour demonstrations—Monday through Friday, 4:30 p.m.; Saturday and Sunday, 11 a.m., 12 noon, 1, 2, 3 and 4 p.m. This is a developmental facility and a testing ground for new effects. Shows may be cancelled for revisions or reprogramming. To verify schedule, call 381–6264.

Deadline for December calendar entries: November 5. The Smithsonian Monthly Office of Public Affairs. Editor: Lilas Wiltshire.

Calendar requests.—Mail to Central Information Desk, Great Hall, Smithsonian Institution Building, Washington, D.C. 20560. For changes of address, include mailing label.

RADIO SMITHSONIAN

Radio Smithsonian, a program of music and conversation growing out of the Institution's many activities, is broadcast every Sunday on WGMS–AM (570) and FM (103.5) from 9–9:30 p.m. The program schedule for November:

4th—*The Smithsonian Collection of Classic Jazz,* Part I, with Martin Williams, Director, Smithsonian Jazz Studies Program, spotlighting a new album issued by the Division of Performing Arts.

11th—*The Smithsonian Collection of Classic Jazz,* Part II.

18th—*Renewing the Environment,* with anthropologist Margaret Meade and John Milton of Thershhold, a new environmental organization; *Beetle-mania.* Prof. Carl Lindroth of Sweden and Dr. Terry Erwin, Smithsonian, explain why they study beetles and what they've learned.

25th—*Exploring Astronomy.* Dr. George Field, Director, Center for Astrophysics of the Smithsonian and Harvard College. *Protecting a Paradise.* John Hayden, Governor of American Samoa, and Smithsonian botanist Arthur Dahl look at efforts to protect the environment of that area.

HOURS

(Open 7 days a week)

Arts and Industries Building, Freer Gallery of Art, National Collection of Fine Arts, National Air and Space Museum, National Museum of History and Technology, National Museum of Natural History, National Portrait Gallery, The Renwick Gallery, Smithsonian Institution Building—10 a.m.-5:30 p.m.

Anacostia Neighborhood Museum—10 a.m.-6 p.m. Monday through Friday; 1-6 p.m. weekends.

National Zoo Buildings—9 a.m.-4:30 p.m.

Domestic Study Tours.—for further details write Mrs. Kilkenny, Room 106-SI, Smithsonian Institution, Washington, D.C. 20560.

Big Cypress Swamp and Everglades National Park: Nov. 11–18.

Hawaiian Islands: Jan. 17–31, 1974.

Sturbridge Village, Massachusetts: Jan. 25–27.

Baja California Whale Observation Cruise: Feb. 4–11, 1974.

Georgia Mound Builders: Feb. 18–24.

(Due to circumstances beyond our control, some October calendars were not delivered. We hope this did not inconvenience you.)

Dial-a-phenomenon.—737–8855 for weekly announcements on stars, planets and worldwide occurrences of short-lived natural phenomena.

Use of funds for printing this publication approved by the Director of the Office of Management and Budget, June 3, 1971.

LOCAL MAN GETS MEDAL

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ESHLEMAN. Mr. Speaker, I would like to make my colleagues aware of the accomplishments of my valued constituent, Antonio Palumbo, who recently was honored by the Italian Government with the decoration of "Cavaliere" in the Order of the Star of Italian Solidarity.

The Italian Republic conferred the award on Mr. Palumbo for his aid to victims of natural calamities in Italy, his work to uphold the prestige of the Italian people and his activities that resulted in strengthening the relations of deep friendship between the United States and Italy.

While it is the Italian Government that singled out Mr. Palumbo for this recognition, it is his adopted country, the United States, that truly owes him a vote of thanks. Much of his work over 60 years has centered on helping fellow Italians to attain American citizenship. We have all profited from that work because our Nation has been the beneficiary of the skills, the intellect, and the love of country that these immigrants he helped brought with them.

The Lancaster New Era told Mr. Palumbo's story in an excellent article, and I would like to place that article in the RECORD at this point:

LOCAL MAN TO GET MEDAL: ITALY HONORS PALUMBO FOR HIS CIVIC WORK

(By Sam Taylor)

Antonio Palumbo is a little like those brokerage house advertisements—he's "bullish on America."

The 77-year-old Italian-American has lived in Lancaster for nearly 60 years. In that time he has embraced his adopted land with a fervor unknown to a lot of native-born Americans, but he has never forgotten the land of his birth.

Ever since he crossed the ocean as a steerage passenger and passed through the terrifying and bewildering process of entry through Ellis Island in 1914, he's been a firm believer in perpetuating the "good" in his Italian heritage and applying it to the "good" he found here.

GETS SURPRISE

It may have been a surprise to the soft-spoken and intense little man when the mailman dropped a letter in the box at his home at 626 Race Ave. one morning in September.

But the contents of that letter was certainly no surprise to his friends, many of them fellow Italians he helped over the rough road of transition to American citizenship, many of them the successful sons and daughters of fellow countrymen he helped teach the American way.

The letter, from the Italian Counsel General in Philadelphia, summed up three score years for Palumbo.

BESTOWS MEDAL

"I have the honor," wrote the official, "to inform you that the Presidente of the Italian Republic has been pleased to confer upon you the decoration of 'Cavaliere' in the Order 'Star of Italian Solidarity', as a token of appreciation for the support you have given in many activities aimed at aiding victims of natural calamaties in Italy, at upholding the prestige of the Italian people, and at strengthening the relations of deep friendship so happily uniting our two beloved countries."

"I wasn't just surprised, I was stunned," Palumbo's says of the letter.

"I was surprised because I have always felt that I had never been able to do much for the country I love and live in, or the country from which I came."

The Order was created by the Italian government in 1948. As an expression of gratitude to Italians living abroad, or foreigners who have been most active in contributing to the reconstruction of Italy after the devastation of World War II, and who are most active in contributing to friendly relations between Italy and their countries.

The President of the Italian Republic is the head of the Order and the decoration is in the shape of a star.

Palumbo has not received the decoration yet—presentation is awaiting the formation of an appropriate testimonial program.

Palumbo was born in the village of Pentidattilo in the Province of Reggio, Calabria. Before emigrating to America he completed junior high school studies in Melito, Italy.

"When I arrived in New York," he said, "I was just short of 18, didn't know a word of English," said Palumbo who speaks his adopted tongue like a native with the patina of Italian accent.

He has been a naturalized citizen of the U.S. since 1919, and served in the U.S. Armed Forces the same year.

For a time after his arrival here, he attended classes at Boys' High School, and completed the correspondence course of study in electricity from the Industrial Training Institute in Chicago.

UPHILL ROAD

While he won't admit it to this day, learning to be an American was an uphill road.

"I had to learn a language as well as get an education," he said.

Palumbo began the activities which led to the honor he has received in 1923.

It was on a visit to his parents that he noted that the old ruin of a school house, a frame building built in 1908 as a temporary structure after an earthquake, was still standing and still in use.

HELPED BUILD SCHOOL

"The townspeople," he said, "came to me and asked me to help them find a way to build a new fire-proof school building.

"Then," he said, "they appointed me to the school building committee to raise the funds. I put on a drive among the local peo-

ple, and interested a Milan newspaper in the drive.

"I had to stay there 11 months," he said with a grin, "but we raised 40,000 lira and the school was built in 1924."

HOME FOR CLUB

Back home, this interest in his fellow countrymen was growing, and in 1935, he obtained the first home for the Italian-American Citizens Club at 151 N. Queen St.

A large loose-leaf notebook tells the story of his efforts on the behalf of fellow countrymen in obtaining citizenship.

There are letters straightening out tangles on birth certificates, correcting mistakes on preliminary applications, and other problems encountered by the new citizens.

In many cases he visited the homes of the new citizens to stress the importance of their filing for citizenship, and often he would drag out his portable typewriter and fill out the necessary papers on the spot.

NEVER CHARGED

One of the beneficiaries of his volunteer work said this week that "he never charged any of us for any of his time, and he worked long hours to see to it that we became citizens."

While working in this field, he found time to organize and direct an Italian language school for the sons and daughters of the immigrants.

"I thought," he said, "it was important for the American children to learn their heritage language."

HEADED CLUB

In 1940 as chairman of the Italian-American Citizens Club committee on naturalization he joined forces with the Daughters of the American Revolution in the sponsorship of a non-citizens class for aliens in the city, held at the Stevens Elementary School.

Palumbo has one hope now to immortalize one of his lifetime heroes, Christopher Columbus, with a statue of the explorer to be placed in Lancaster Square.

He broached the subject in a letter to the mayor a couple of years ago, has preliminary sketches in his possession, and is waiting to carry the project further.

MET WIFE

While he was working long hours to help the newer American, Palumbo was also busy making a living as an electrician for himself, his wife, Dorotea whom he met and married in his native village on a visit in 1927, a son Frank and a daughter Porsia, both of whom are now teachers in local school systems.

His first job was as an electrician with the Pennsylvania Railroad. He served for a time with the Armstrong Cork Co. in the research department.

For 17 years he was employed in the electrical department of the Burnham Boiler Co., spent a year as an aircraft electrician at Olmsted Air Force Base, and then served for 18 years as an electrician at the Lancaster plant of RCA.

When he received his first Italian passport he says there was a note attached to it that enjoined him to "obey the laws of the country to which I was going, be a good citizen, and do nothing to reflect against my homeland."

Antonio Palumbo has faithfully fulfilled that injunction in service to both his native and his adopted country.

A DECADE BEFORE EUREKA: THE DISCOVERY OF HIGH-PROTEIN SORGHUM

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. LANDGREBE. Mr. Speaker, 10 years ago the staff of the Indiana Agricultural Experiment Station at Purdue University initiated a research project to test various amino acid patterns in strains of corn in an effort to improve the biological composition of this important cereal crop. Their research efforts uncovered an amino acid pattern, opaque-2, which has substantially improved the quality of protein in corn. Their discovery provided the impetus for further research in cereal protein improvements.

Ten years later, the Purdue agricultural staff has discovered two lines of high lysine genes which would double the protein quality of the world's fourth most important cereal crop, sorghum. Sorghum is the principal diet of millions of people in Africa and in Asia. This important discovery has profound implications for the diets of peoples in the State of Indiana, the Nation, and the world.

Therefore, Mr. Speaker, I direct your attention and the attention of my colleagues, to two articles published in the Journal and Courier, Lafayette, Ind., Mr. Gregory Deliyanne, publisher. The articles follow:

HIGH-PROTEIN SORGHUM DISCOVERED: PURDUE FIND TO FIGHT HUNGER

Climaxing a search started in 1966, Purdue University plant researchers have identified sorghum lines containing twice as much lysine (improved protein quality) as average sorghum.

The discovery is expected, in time, to lead to a better diet for protein-deficient people in areas of the world where sorghum is the principal cereal.

After screening nearly 10,000 sorghum varieties, Purdue scientists found the high-lysine gene in two Ethiopian lines. This gene can be easily incorporated into commercial varieties since the high-lysine trait is simply inherited. Furthermore, the two lines are available in the world sorghum bank.

Announcement of the discovery was made today at Purdue and also in Washington by the U.S. Agency for International Development (AID), which funded the research. At Purdue, the project is administered by the Division of International Programs in Agriculture.

Geneticists, biochemists and animal nutritionists in Purdue's agricultural departments of agronomy, biochemistry, and animal sciences contributed to the breakthrough and continue to be involved in the project.

Dr. John D. Axtell, geneticist and project director, and Dr. Rameshwar Singh, his former graduate student from India, are credited with much of the effort. The project was initiated at Purdue by Dr. R. C. Pickett, an authority on sorghum breeding.

High lysine has become a revered word throughout the world since Purdue biochemist Dr. Edwin Mertz and planet geneticist, Dr. Oliver Nelson first discovered the opaque-2 gene (high lysine) in certain corn lines 10 years ago.

Comparing the mutant gene in sorghum with that in opaque-2, Axtell said, "Both have a high lysine content, are inherited as a single gene, and improve the biological value of the grain substantially."

Sorghum is the fourth most important cereal crop in the world, topped only by wheat, rice and corn. In Africa and much of Asia, it is the principal diet for millions of people.

"Compared to other major cereals, the nutritional quality of most sorghums now being consumed by humans is relatively poor," Axtell said.

In tests conducted by the researchers, the high-lysine sorghum already has proved three times as effective in promoting growth in rats. Researchers say similar dietary growth improvement can be expected in humans.

In the U.S. and Latin America, sorghum is produced chiefly as livestock feed. Results of the research should be beneficial to U.S. agriculture in areas where sorghum is utilized, Axtell stated.

Purdue President Arthur G. Hansen and Purdue Dean of Agriculture R. L. Kohls, today commented on the sorghum discovery:

Dr. Hansen—"I want to congratulate Dr. Axtell and his fellow scientists who have worked on the project for such a long time and have made such a very remarkable discovery. I think it illustrates the point I have been trying to make for quite some time—why we need a research university like Purdue. The contribution that it makes to the state, to the nation and to the world are inestimable, and for this reason alone its support and its encouragement are worth every penny that we are receiving in support."

Dr. Kohls—"I am extremely proud of this accomplishment of the scientists of the Indiana Agricultural Experiment Station here at Purdue. This is just one more indication of the high status of Purdue among the agricultural, educational and scientific organizations of the world. All Hoosiers should share in this pride. Such discoveries as this not only make significant contributions to the solution of the world food problem, but also have direct and practical implication to Indiana farmers and consumers."

In announcing the discovery at a Washington news conference, AID Administrator John A. Hannah hailed the work of the Purdue research team as a "breakthrough of the first magnitude."

"When we recall that sorghum is the principal subsistence cereal for more than 300 million people—indeed the poorest people in the world's poorest countries—improving its protein quality will amount to a gift of life, especially for children," he said.

A second and related major discovery by the Purdue sorghum researchers was the recognition that tannin compounds present in some sorghum lines interfered with protein availability. In essence, the release of protein is blocked in high-tannin lines.

Working with biochemists and animal nutritionists, Dr. Dallas Oswalt, agronomist and assistant project leader, co-ordinated research.

Tannins are in the thin outer layers of the kernel. Their presence is due to a single dominant gene, thereby making it easy to correct genetically. Removal of the tannin, however, leaves the sorghum more susceptible to hungry birds.

PURDUE SORGHUM RESEARCH BEGAN DECADE AGO WITH CORN

Discovery of two lines of high lysine sorghum by Purdue University agricultural scientists had its roots in research at Purdue a decade ago.

Announcement of the sorghum lines, which contain twice as much lysine (improved protein quality) as average sorghum, was made today.

Dr. Edwin T. Mertz and Dr. Oliver E. Nelson Jr., Purdue staff members, working as a team for several years, began testing the amino acid pattern of several strains of corn. They found that one, called opaque-2, displayed an unusual amino acid balance. It contained more than twice as much lysine as normal corn and substantially more * * *.

Their discovery 10 years ago encouraged plant breeders to search for genetic alterations that would improve the level and quality of protein in other important cereal grains.

Dr. Merzt, who continues to work actively on both the Agency for International Development project on opaque-2 corn and the AID sorghum project, commenting on the sorghum discovery, said:

"It is a great satisfaction indeed to have Purdue research workers identify two high lysine lines of sorghum. The potential benefits from this discovery in a world chronically short of good quality protein are tremendous.

High lysine sorghum should have a good market in this country in animal rations and could vastly improve the diets of humans in parts of Africa and Asia where this crop is consumed as a human food."

The mutant, opaque-2, had been known for about 30 years by plant breeders, but was used only as a genetic marker. Mertz and Nelson believed that if the unusual amino acid proportions could be maintained, high lysine corn would have protein with far superior feed value than ordinary corn.

In subsequent tests they demonstrated that the mutant gene could substantially improve the quality of corn protein. They found it was superior to normal corn for livestock rations and other scientists found it was twice as good as normal corn in certain human diets.

First nutrition tests at Purdue in 1964 showed that weanling rate tripled their growth when fed high lysine corn. Then weanling pigs fed the higher protein quality corn gained more than three times faster than pigs fed regular hybrid corn when corn supplied all of the protein.

Sensing the potential of the discovery for improving human nutrition, scientists tested children in Guatemala and graduate students on Purdue's campus. The studies in Guatemala showed that protein quality of the high lysine corn was as high as protein quality of milk. At Purdue, trials with the students proved that corn protein could be effectively used by adults.

After publication of the opaque-2 discovery, Rockefeller Foundation scientists in Colombia requested seed from Purdue as a means of obtaining a weapon to fight Kwaskiorkor, a protein deficiency disease of children.

Children who were admitted to hospitals received diets in which 100 per cent of the protein came from opaque-2 corn. They made satisfactory recovery. Commercial companies in Colombia now are producing a food for humans containing opaque-2 corn.

It is estimated that more than one million acres of hybrid opaque-2 corn will be planted by midwest farmers in 1974.

SESQUICENTENNIAL CELEBRATION

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. JONES of Tennessee. Mr. Speaker, it is my pleasure as Congressman from the Seventh Congressional District, to announce the sesquicentennial celebration of Dyer County, Tenn., which was held during the month of October.

Dyer County was first inhabited by the Chickasaw Indians who utilized this general area as a hunting ground. In 1785, 3 years after the close of the Revolutionary War, Henry Rutherford and a small party of settlers ventured up the Forked Deer River by way of the Cumberland, Ohio, and Mississippi Rivers, to survey several tracts of land granted to men who had served in the Revolution.

In 1818, persuaded by Andrew Jackson and Issac Shelby, the Chickasaws signed a treaty to give up this land which subsequently became a part of the State of Tennessee.

Soon after Henry Rutherford's settlement, many families began to make their way into this new land and by 1823, the State general assembly passed an act establishing the settlement as Dyer County.

The first official county court was moved in 1826 from a small cabin to a two-room log building in Dyersburg. At about this same time Alexander Russell opened the first dry goods store, and several mills, powered by water and horses, were opened.

Dyer County's first school was established in 1830, and in 1833 a log schoolhouse was built, in Dyersburg, on what is now referred to as College Hill. In 1836, the log schoolhouse was replaced by a one-story frame building and Dyer County became incorporated.

From 1833 to 1850 the population of Dyer County went from 100 to 200 inhabitants and a two-story brick courthouse was erected in the public square.

The people of Dyer County are proud of this heritage and I am proud to represent such a productive and progressive county in the U.S. Congress.

DAYLIGHT SAVINGS TIME MEANS PROBLEMS FOR AM BROADCAST STATIONS

HON. JOSEPH J. MARAZITI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. MARAZITI. Mr. Speaker, the energy crisis and the move of Congress to adopt the President's request for year around daylight savings time brings with it a serious economic problem for about half of all the AM broadcast stations in the United States.

Because of treaty agreements we have with Canada, Mexico, and the Bahamas; many daytime stations would not be able to go on the air early enough to serve the early morning commuter audience that normally constitutes the "bread and butter" economic income that small stations rely on to stay in business.

In New Jersey these daylight broadcast stations would not be able to go on the air until 8:15 a.m. in December, 8:30 a.m. in January, and 8 a.m. in February. There are from 300 to 400 of these stations across the Nation with this problem.

Stations with presunrise broadcast authority would also be in trouble. There are 1,900 of them in the Nation. Instead of signing on at 6 a.m., they would sign on at 7 a.m.

This morning I contacted the Federal Communications Commission to see what might be done to solve this problem through the rulemaking process. I have been advised that they are trying to work something out for those stations with clear channels within the boundaries of the United States. However, the fate of those stations like the ones in New Jersey, which I am fortunate to represent, will depend on the type of diplomatic negotiations and agreement we are able to work out with Canada under the Uniform Time Act.

Since Canada is this Nation's major supplier of imported crude oil, the problem will not be an easy one for our State Department to iron out, especially since the daylight savings time plan is designed to conserve on fuel and energy to get us through the winter without crippling shortages.

If Canada agrees to work with the United States on this matter, it will be a concession for Canadian broadcast stations. They cannot help but be affected by a new agreement with the United States.

We cannot change the cycle of the sun, or the ionic conditions in the ionosphere that makes radio interference clear up when the sun rises. There are not enough radio frequencies to meet demand. Therefore I urge my colleagues to write the Chairman of the FCC and urge him to negotiate modified Uniform Time Act agreements with Canada, Mexico, and the Bahamas so adversely affected AM radio stations in the United States can survive economically.

I am doing so in the hope that our neighbors will cooperate with us until we have our energy problems solved.

PUBLIC FINANCIAL DISCLOSURE BY MEMBERS OF CONGRESS AND CERTAIN EMPLOYEES OF CONGRESS

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. HUDNUT. Mr. Speaker, I am introducing today a bill, similar to one suponsored by the distinguished gentleman from Florida (Mr. FREY) and others requiring annual public financial disclosures to be made by each Member of the House of Representatives, the Senate, and congressional employees who receive an annual salary of more than $22,000.

In my opinion, we should all be gravely concerned about the suspicion that far too many citizens have toward Members of Congress. Unfortunately, conflicts of interest, in which a very few Members have been engaged over the years, have led to this suspicion and cynicism by the public toward public officials. The bill I am introducing would, I feel, go a long way toward helping regain confidence in Government by the electorate.

This legislation would require annual reports to be filed with the Comptroller General and made available to the public. The reports require the listing of the amount and source of each item of income, reimbursement for any expenditure and any gift or aggregate of gifts from the same source received by him or by him and his spouse jointly during the year.

The reports also require the listing of any fee or other honorarium for speaking or writing and the monetary value of subsistence, entertainment, travel and other facilities received by him. Additionally, the bill calls for the itemization of each asset held by him and by him jointly with his spouse if the value is $5,000 or greater. Furthermore, the bill requires the reporting of each liability

of $5,000 or more. The public reports will also include any business transaction, including the sale, purchase or transfer of securities of any business entity, commodity, real property or any other asset or any interest therein by him or by him and his spouse jointly or by any person acting on his behalf if the aggregate amount involved in each transaction exceeds $5,000.

It seems to me that rules must be applied and followed if we are to restore the public's confidence in its government. Certainly appropriate steps must be taken to stop the suspicion and jabs at congressional integrity which have become prevalent over the past few years. The health and vitality of our democracy depend in large measure upon the openness, candor, honesty, and integrity of public officials, both elected and appointed, and I strongly believe that enactment of this bill would constitute a good effort in the right direction.

NO LONGER SUPERIORITY NAVY FLEET

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

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

U.S. NAVAL EDGE OVER RUSSIA NO LONGER COMPLETE

LONDON.—The U.S. Navy can no longer count on complete superiority over the Soviet navy but would still probably have the advantage as an intervention force, such as in the Middle East, the editor of Jane's Fighting Ships said Saturday.

"In a confrontation situation, the U.S. Navy has the edge," Capt. John E. Moore said in a interview.

He said this was because the U.S. aircraft carriers, particularly the nuclear-propelled ones, are pre-eminent. "No other navy in the world can match them at the moment and no other navy is ever likely to match them," Moore said.

But he cautioned that the Soviet navy holds the advantage over the United States in a number of important fields. The Russians have the largest submarine fleet, and they have the most modern navy afloat—more ships less than 10 years old than any other nation.

It is possible, Moore said, to conceive of situations where the Soviet navy would have the edge—for example, placing its ships in an area first, either through earlier intelligence readings or because the Russians were manufacturing a local crisis.

"On balance, there is no way to tell which navy is the strongest overall," Moore said. "You are not comparing like with like. Strong points in one navy are lacking in the other and vice versa."

This was not always true. Moore thinks that ships and weapons systems introduced by the Soviets, particularly since 1967, have made the difference. Before that the U.S. Navy was seen as superior over all. Since then the situation has been less clear.

Moore thinks the next five years are likely to be decisive in determining which way naval superiority goes, possibly with China, Japan and the Western Europeans joining the United States and the Russians as formidable sea powers:

The next two to three years, he says, could be crucial in determining whether the Soviet navy can overcome severe training and manpower problems on increasingly complex ships.

Moore says the United States has the advantage today to varying degrees over the Soviet navy in these fields: aircraft carriers, air cover for the fleet, amphibious forces, submarine detection, replenishment-at-sea facilities, nuclear surface ships, anti-submarine capability and training facilities.

GOVERNMENT BY LAW

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ADAMS. Mr. Speaker, I am attaching for publication in the RECORD a copy of a resolution made available to me by the board of trustees of the Young Lawyers Section of the Seattle-King County Bar Association. They are very concerned about the discharge of the Special Prosecutor Archibald Cox and have passed this resolution as a statement of their support for a reaffirmation of the principle that we are a society governed by laws and not by the whims of men:

YOUNG LAWYERS SECTION,
SEATTLE-KING COUNTY BAR ASSOCIATION,
Seattle, Wash., Ooctober 29, 1973.

RESOLUTION

The Young Lawyers Section of the Seattle-King County Bar Association, through its Board of Trustees acting at its regular meeting on October 29, 1973, and pursuant to its By-Laws, hereby adopts the following resolution.

RESOLVED that the following statement of principles is hereby adopted and approved by this Section:

STATEMENT OF PRINCIPLES

The facts of what has become to be called "Watergate" and its developing aftermath require a reaffirmation of basic principles by every concerned citizen. Such principles fundamentally involve the rule of law as controlling this coutry's affairs and the need for forthrightness in communicating about those affairs. In the context of Watergate, expression of these principles includes the following:

1. The President of the United States, in his actions and in what he says about those actions, must be the prime exemplar of those principles;

2. The rule of law should determine what evidence related to Watergate in the possession or the control of the White House is relevant to the issues and should be turned over to appropriate agencies or branches of the government;

3. The constitutional powers of the Executive, Judicial and Legislative Branches of the government should be employed effectively to develop the whole truth with regard to whether and to what extent obstruction of justice, corruption or other lawlessness was involved in Watergate and to take all means to effect whatever remedies may be required to honor the rule of law.

4. A Special Prosecutor, independent of the Executive Branch, should be established, funded, equipped, and staffed promptly to continue the work, momentum and investigations already begun by Special Prosecutor Cox.

Further resolved, that the Chairperson of this Section in consultation with such officers, trustees and members as she deems advisable, is authorized to take all actions that she deems necessary or appropriate to articulate, publicize and implement the foregoing statement of principles.

Further resolved, that this Section strongly supports the efforts of American Bar Association President Chesterfield Smith and of other bar associations, national, state and local, that are being or may be taken to reaffirm and implement the foregoing principles, and authorizes the Chairperson as she deems advisable on behalf of this Section to join with the American Bar Association and other bar associations in the articulation, publication and implementation of the foregoing principles and in such statement of principles and actions that may be adopted or taken from time to time that are substantially similar to or in accord with the principles and premises of this resolution.

BETTY BRACELIN,
Chairperson, Young Lawyers Section, Seattle-King County Bar Association.

WHY THE PRESIDENT SHOULD RESIGN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. RANGEL. Mr. Speaker, last Tuesday I introduced House Resolution 684 calling upon President Nixon to resign. This resolution was motivated by my belief that our Nation cannot long survive the type of crisis of credibility in our national leadership which presently exists. The Watergate revelations, the resignation of Vice President Agnew to save himself from a felony indictment, and the obstruction of Justice by the President have led the people to lose faith in their Government. The effect of this loss of faith and confidence in the Government are examined by Vernon E. Jordan, director of the National Urban League, in his syndicated column that appeared in the November 9, 1973 issue of the New York Voice. I place this column in the RECORD for the attention of my colleagues:

AT THE BRINK

(By Vernon E. Jordan, Jr.)

When Secretary of State Henry Kissinger called a news conference to explain why the armed forces had been placed on alert, he wound up having to insist that the country was faced with a real international crisis, and that it wasn't just a White House ploy to take the heat off its political difficulties.

Now that is an extraordinary situation! I can't ever remember a time that so many people simply assumed their leaders were playing a dangerous international game because of political reasons at home. It's the knid of thing we expect in corrupt little dictatorships, not in a stable democracy.

Yet, as Dr. Kissinger stated, such questions are symbolic of the deep mistrust and suspicion that envelop the public's view of governmental leaders and institutions. No nation can survive such doubt. Whether the answer lies in impeachment, as some suggest; in Congressional activism, or in an Administration house-cleaning to restore confidence, it is clear that this terrible situation has to be resolved—and soon.

GOVERNMENT PARALYSIS

The creeping paralysis at the heart of government came after a long, unrelieved succession of scandals, cover-ups, resignations, and illegal and unconstitutional acts. High officials are under criminal indictment and the Vice President was forced out of office and convicted as a felon.

Then, just as some confidence was being restored in the integrity of the investigative process, along came the tapes of controversy, with the possibility that the President would be held in contempt of court; the firing of the special prosecutor and the deputy Attorney-General, and the principled resignation of Elliot Richardson, the Attorney General.

At that, the dam burst. The public demanded impeachment. Lawyer's associations, deans of prominent law schools, the AFL-CIO, the UAW and members of Congress joined the call. Surrender of the tapes hasn't muted the situation; Congress is investigating whether it should impeach a President.

The result is that the government stands impotent, its ability to govern in question. And there is a lack of confidence in governmental institutions and in the political process that is frightening to behold.

Let no one suppose that black people are transported with joy by the crises that have enveloped an Administration universally considered opposed to our interests. Rather, our cause is made even more difficult by the crisis gripping the government.

REFORMS THREATENED

The reforms we seek and the goals we are fighting for depend in large part upon governmental stability, public faith in the governing process, and in the integrity of the courts and the governing institutions. Weaken these, and you weaken the prospects for change.

That the integrity of the government has been weakened was apparent to black citizens long before the current crisis, and even before Watergate. It became obvious in the not-so-distant days of "benign neglect" and the attempt to use the legitimate aspirations of black people for equality as a wedge to split the country and frighten white people into rolling back the gains made in reecnt years.

The ultimate fate of the proposals for impeachment depend on public opinion and on the Congress. Meanwhile, we are threatened with governmental paralysis and a period of lurching from one constitutional crisis to the next.

However, it is resolved, it should be recognized that this nation cannot long endure if men are placed above laws, if group is pitted against group, and if the ruling concerns are of grasping power instead of building trust and fostering progressive reforms in our system.

RESPONSE OF MR. FORD ON "TODAY SHOW" NEEDS CLARIFICATION

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. SYMINGTON. Mr. Speaker, this morning on the "Today Show," our good friend, the distinguished minority leader, Mr. FORD, was shown responding to questions put to him a day or so ago. As one among many here, who fully expects to cast a vote in favor of the confirmation of our esteemed colleague as Vice President of the United States, I do feel compelled to request clarification of one of the responses he gave. It was to an inquiry of his views concerning the impact of editorials and communications from the public calling for the resignation or impeachment of the President. If my senses did not deceive me, our friend, Mr. FORD, said that the President would not be much moved either by such editorials or, "the mob." A moment later he reemphasized that little attention would be paid to "the mob."

Mr. Speaker, my reason for bringing this matter to the attention of the House in this way is principally to give Mr. FORD an opportunity to clarify for the record what he meant by "the mob." Such clarification would prove useful, perhaps essential, in allaying the doubts of many thousands of good citizens who have written calling for one or the other of the referenced actions, and whose sentiments and their expression are most certainly not of the "mob" variety. Nearly one-third of the letters I have received on the subject begin:

I am a lifelong Republican, but . . .

And a high proportion call for the early confirmation of Mr. FORD himself. At this delicate juncture, it does not behoove any of us to lose sight of the distinction between the people and "the mob." This is particularly so when one realizes the differences in persuasion techniques required by the two. And since the winter months will be both cold and long, I do feel justified in asking for the reassurance all Americans need, regardless of their views on the matter, to be trusted and respected.

FARM SHARE OF FAMILY FOOD COST DROPS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ZWACH. Mr. Speaker, when food prices go up, the producer gets the blame, but when prices to the producers drop, those consumer prices generally do not follow.

This is a fact that I try to impress upon my colleagues and my constituents.

Gordon Duenow, editor of the St. Cloud Times, in our Minnesota Sixth Congressional District, recently treated with this matter in his editorial column.

With your permission, I would like to share his editorial with my colleagues by inserting it into the CONGRESSIONAL RECORD:

FARM SHARE OF FAMILY FOOD COST DROPS

Some time ago Secretary of Agriculture Earl Butz remarked that although farm prices move up and down, prices that consumers pay usually stay up. Government figures on the annual retail cost of food released last week substantiated that statement.

According to these government figures, the farmer's share of the market basket drooped to $744 from the August peak of $839 a decline of $95 or 11.3 per cent in one month.

But the figures showed that middlemen, including processors, wholesalers and retailers, widened their share of the annual food bill by $71 or 8.5 per cent from August.

It cost a typical household $31.33 a week for U.S. farm-produced groceries last month, down 46 cents a week from the August rate.

If the middlemen had passed along all the price cut-backs absorbed by farmers for raw products, the saving from August to September would have been $1.82 a week.

However, when comparing the annual market basket rate of $1,325 in September 1972, which was about 23 per cent lower than last month, the middlemen look a little better. In the 12-month period, market basket costs rose $304 with farmers accounting for $205 of the gain and middlemen $99.

As computed by the Agriculture Department, the cost of an entire year's food supply for a theoretical household of 3.2 persons was $1,629 in September, down 1.5 per cent from the record of $1,653 in August. G.E.D.

EX-WRITER ON CANCER RESEARCH SEES OTHER SIDE AS PATIENT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. DULSKI. Mr. Speaker, the view from the "other side of the desk," it is often said, can be fully appreciated only if one actually makes the complete shift.

This very often—and in some cases, thankfully—is not easy to come by, whether it involves investigators, newspaper reporters, indeed, anyone trying to see both sides of a picture.

Mary Beth Spina formerly was a medical writer for the Buffalo, N.Y., Courier-Express. In that role, she had many occasions to visit and write about Roswell Park Memorial Institute.

Roswell Park, which marked its 75th anniversary this year, is not only the oldest cancer institute but also is one of the largest in the world.

Mary Beth Spina has recounted her experience from the other side of Roswell Park—as a cancer patient in the hospital in contrast to her earlier role as a reporter.

Mr. Speaker, I commend her account as worthwhile reading, a perspective very much needed. The text follows:

[From Buffalo (N.Y.) Courier-Express, Nov. 8, 1973]

A PATIENT'S VIEW OF ROSWELL PARK, IT'S NOT JUST ANY HOSPITAL

(By Mary Beth Spina)

Cancer, as a medical writer, I wrote about it. I had interviewed research investigators and physicians at Buffalo's world-famous cancer research hospital, Roswell Park Memorial Institute, about advances being made against it.

And yet none of this knowledge prepared me for the day I, like thousands of others, would be told I had cancer. I spent days afterward in fear and disbelief. I would later learn most cancer patients go through these stages of emotion. And, like them, I, too, would accept it.

I was fortunate. I had early diagnosis (revealed by a routine Pap test which all women should have once a year) and a relatively slow-growing type. But even knowing this, I was terribly afraid.

As a former Courier-Express reporter, I was familiar with Roswell Park. I had been struck then with the fact that it was not "just another hospital." It was an attitude. Contrary to the grim, cheerless place most people would expect a cancer hospital to be, Roswell Park boasted cheerfulness and exuded optimism. From the physicians to the patients, positive attitudes and straightforwardness was the rule—not the exception.

WHY IS IT DIFFERENT?

I had always thought, how can this be? What makes this hospital different?

So this year, I entered Roswell Park—this time as a patient, not a reporter. In Admitting, the clerk was pleasant as she took information for the myriad forms. She was patient as I fished my physician's telephone number and other pertinent information from the bottom of my purse.

While waiting my turn to go upstairs to

my room, I chatted with a man who told me the doctors had "worked wonders" with him. "One thing you can say about this place, they don't give up on you," he said. As my name was called, we said goodby and wished each other good luck.

Once on 3 West, the gynecology floor (floors are reserved according to the part of the body affected by cancer), I began to discover part of the atmosphere was due to the patients.

Few allowed themselves the luxury of self-pity when they could see others sicker than they. Patients ate in the dining room adjacent to our floor lounge unless they were forbidden to get out of bed by doctor's orders. Name tags on the tables were reshuffled periodically, so every patient eventually knew all others on the floor by name and condition.

PATIENTS SWAP STORIES

As a new patient, the others were interested in "what kind of cancer" you had and what procedures you were to undergo.

Stories of past experience with the illness were swapped, and those fearful of radiation or surgery were bolstered by those who'd already been through it. Nobody talked about dying.

Since the doctors made "rounds" each afternoon between 4 and 6, dinnertime conversation buzzed with who had gotten "good" news and "bad" news. Those with "good" news were congratulated and those with "bad" were cheered up.

Roswell Park physicians tell it like it is. Each patient is fully informed as to diagnosis and medical procedures to be done. Forms filled out upon admission, and others completed before specific procedures are done are detailed. Each patient knows the odds if certain procedures are done. Some are given a choice of treatments (depending upon their type of cancer and its severity). But in all cases, patients are given complete facts on which they can base intelligent decisions.

The resident assigned my case drew so many pictures of the cervix and uterus (attempting to fulfill the form's question which asked the "procedure and condition be explained to the patient in layman's language") that I kiddingly suggested he should be a medical illustrator.

PATIENT MUST GIVE CONSENT

Contrary to the belief held by many, no "experimental" procedures may be done without informed consent of the patient. Most people don't realize that hospitals and physicians dealing in clinical research must be more careful than most in fulfilling the legal and ethical responsibility to the patient. At Roswell Park the patient participates in the decisions which are to be made about his body. This makes him, in a sense, a partner with the medical team—not a bystander.

Since I had not had surgery before, I was apprehensive over the business of being "put to sleep". The morning of my surgery, two patients came to sit with me while the pre-op shots were taking effect. One, who was to undergo surgery later in the week, explained she thought I would "like company" while I waited to be taken "down the hall" to the operating room. And the doctors promised they would be around to tell me what they found after I awoke from the anesthesia. They did—and the news was "good."

Later, several patients came by to say they were glad to hear all went well. And at dinner, I discovered some of them had checked around to see how my surgery had gone so they'd know "what to say" to me. Several of us dropped in to see another patient whose exploratory surgery had revealed an inoperable tumor. The doctors were going to use radiation to remove it.

CHEERING ONE ANOTHER

Although her news wasn't the best, we told her things could have been worse. After all, she was in one of the top cancer hospitals in the country, and everyone was trying to help her.

I learned part of Roswell Park's great patient morale is based on the working theory that patients can help each other. Dr Steven Piver, associate chief of the Department of Gynecology, says the staff and physicians are aware of the benefit of patient interaction.

"Many patients are terrified to come to Roswell Park. They really don't know quite what to expect—but after a couple of days, they get into the spirit of the hospital," he said. Since the average length of stay is two weeks, there's plenty of time for everyone to get acquainted and feel at home.

With no telephones or television sets in the patient rooms unless requested, patients are more likely to seek each other's company to pass the time. Many patients are not from the Buffalo area, so the constant stream of visitors per patient—evident at most general hospitals—is virtually nonexistent at Roswell Park. This, too, tends to bring the patients closer.

The floor lounge—which is the center of patient activity—is seldom empty. Patients usually busy themselves watching television, playing cards, knitting, reading or talking. They talk about their families, their jobs, their illness and sometimes about their apprehensions. They also talk about their hopes.

MUCH GROUP ACTIVITY

Going to X-ray, radiation and other departments off the patient floors is usually a group affair. It's a familiar sight to see a group of patients headed down a corridor for treatments. It's not unusual to see a patient taking a walk, hanging onto a wheelchair for support. Some patients, receiving medication intravenously, can be seen walking to the lounge, pushing their I. V. stands along. And nobody stays in bed unless the person is forbidden to be up and around.

Much of the credit for the successful patient-to-patient contact goes to the staff. Nurses and dietary personnel, who are around patients most, know them by name. The atmosphere—while certainly professional—is more relaxed than I've found in most hospitals.

Patients are free to leave their floor and take long walks to visit such places as the art gallery on the second floor. Staff physicians, and the residents on each service, make rounds Monday through Sunday. The patients know them all by name and are free to ask questions of them.

One resident is on duty on each floor 24-hours-a-day, should a doctor be needed in the middle of the night.

As a 3 West nurse said, "This place is different. Some of our patients are here for several weeks at a time. Even when they go home, they may be back for future treatment or checkups. We know them better because we have longer to get acquainted. It's almost like a family."

PATIENT PSYCHOLOGY

At Roswell Park, the patient who cares about others minimizes his own fears. The patient who strengthens another's hopes builds his own. The patient who helps others feel more independent and secure.

A psychiatrist explained "the more independent a patient is encouraged to be, the less fearful he becomes." It must be true.

As a writer, I had seen Roswell Park as a place where many were actively seeking cures for cancer on a day-to-day basis. They refused to give up on cases, while knowing some were sure to be lost.

"Cancer is just a word," says Dr. John C. Patterson, a Roswell Park physician and director of the Lakes Area Regional Tumor Registry. "When caught in the early stages, many types can be cured. Even those in whom the disease has progressed are being saved through surgery, chemotherapy (cancer drugs) radiation or a combination of these.

"Many patients who would have been termed hopeless even a few years ago are getting additional years despite their condition."

As a patient, I have seen Roswell Park's staff refuse to give up. And they encourage their patients to fight, too. For every battle lost, others are won. And they look to the day when none must be lost.

EUROPE PAYS THE PRICE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ROSENTHAL. Mr. Speaker, Joseph Kraft has written an excellent column in this morning's Washington Post about the oil implications of the recent Middle East war. Based on his recent visit to Cairo, Mr. Kraft's article points out that the Europeans, by showing a lamentable weakness in facing a threatened oil boycott by the Arab countries, excluded themselves from the political arena. The Europeans, he also notes, are threatened by the independent national policies which asserted themselves over the still-fragile unity of the European Community. Hopefully, the lesson of the oil crisis—to be recognized by the United States as well as by the Europeans—is that European unity is not an option of debatable merits but a necessity for the future of healthful and mature relations across the Atlantic.

That such unity was lacking and that the consequent political response from Europe was compounded weakness should be the prod for action by both Europeans and Americans. If this happens, a real Year of Europe will have just begun.

The article by Mr. Kraft follows:

[From the Washington Post, Nov. 13, 1973]

ARABS FORCE EUROPE TO PAY OIL BLACKMAIL

(By Joseph Kraft)

PARIS.—The failure of Western Europe in the latest Mideast crisis is particularly striking to me in view of a visit I have just made to Cairo. For the Europeans paid oil blackmail in a visible way bound to inspire further Arab demands.

They also excluded themselves entirely from the diplomacy of ceasefire and possible settlement. So the Mideast crisis provides a case study in how not to bring Europe back into the world arena.

The paying of oil blackmail was especially evident in the resolution put out by the nine European Common Market countries a week ago. Among other things, the nine gave the wet mitten to Holland which, for the same noble reasons that inspired the Dutch wartime resistance to the Nazis, had refused to pay oil blackmail. In a sharp break with the community spirit of the Common Market, the other eight refused to make bits of their own oil stocks available to compensate for Arab retribution against the Dutch.

Before that the Europeans had divorced themselves entirely from the American effort to match Soviet supplies to the Arab states with assistance to Israel. Except for Portugal, all the NATO countries denied overflight rights to the planes of the American airlift. Britain even refused to allow American reconnaissance planes to use her Mediterranean bases.

The Arabs, not surprisingly, interpreted the European reaction as an expression of

total weakness. It was even reported in Cairo—quite falsely I found out here in Paris where the weather has been fine—that Europe was in the grip of a cold spell. The Common Market resolution was seen as a mere apple-polishing device. "The Europeans," one official close to President Anwar Sadat of Egypt told me, "are running around trying to collect good conduct certificates from us." Given that attitude it is hard to believe the oil weapon will not be used to extract still further concessions.

Since the Europeans had played no part in containing the Russian push, moreover, there was no opening for them in the diplomatic follow-through. President Sadat and Secretary of State Henry Kissinger tied up their deal on a ceasefire and future peace conference without even keeping the Europeans informed. About the only concession to form was a dinner invitation extended to four leading European ambassadors for the final banquet offered to Dr. Kissinger in Cairo.

Since the Europeans were totally innocent of what was going on they could barely even make conversation. As one of the European ambassadors said of the occasion: "The company included 10 Egyptians, five Americans and four European imbeciles."

The absence of the Europeans from the Mideast scene is perhaps not so tragic. But getting the Europeans to play a more responsible role in other matters is important. So it is useful to ask what went wrong in the Mideast.

The answer, I believe, is that Europe is belatedly paying the price of General de Gaulle. At the general's insistence progress toward joining political institutions was arrested in favor of a Europe of individual states. Inevitably, these states now jockey for position one against another—whether in dealing with the Mideast or the Soviet Union.

Moreover, the fight to get by the French veto exhausted British interest in the European community. Prime Minister Edward Heath has to seek immediate dividends from Europe. To have as a first consequence of the new association an oil shortage and rationing would have made joining Europe look like a total failure. So Mr. Heath has been under the strongest pressure to pay any price for oil the Arabs demanded.

What all this suggests is that it does no good simply to lecture the Europeans on their responsibilities. The right American tactic is to begin anew the slow painful and dull work of fostering European unity. That responsibility should be felt with particular keenness by Secretary of State Henry Kissinger. For after all he played no small part in lending respectability to the Gaullist follies which have done so much to reduce Europe to its present pitiable condition.

INTERIOR'S IMPACT STATEMENT ON GARRISON RECLAMATION PROJECT "UNACCEPTABLE" FROM INTERNATIONAL STANDPOINT

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. VANIK. Mr. Speaker, this summer, the late Congressman John Saylor and I attempted to delete further funding of the Bureau of Reclamation's Garrison Diversion Unit project.

Our opposition to this North Dakota project was based on the heavy budget and environmental costs of the program as well as the human costs: Large groups of farmers—the people who will have to live with and use the project—are opposed to it. Finally, we were deeply concerned about the fact that the project will result in a degradation of the flow of water from North Dakota into Canada, with the result that the American taxpayers would be forced to take expensive corrective actions—actions similar to those recently taken on the Mexican border to restore the quality of the Colorado River flowing into Mexico.

The problems caused by the Garrison Diversion Unit are described in the CONGRESSIONAL RECORD on June 27, June 28, July 12 on page 23682, and August 3, on page 28311.

I have just obtained a copy of a letter from Christian A. Herter, Jr., Special Assistant to the Secretary for Environmental Affairs—and also a member of the Canadian-American International Joint Commission—to the Department of the Interior concerning the Garrison project.

As the letter points out:

The Department of State feels that the draft impact statement does not adequately address the serious international problems of an environmental nature raised by this proposal, and that *the statement is therefore unacceptable from this standpoint.* (Emphasis added)

Because of the importance to the taxpayer of this issue, I would like to enter the full text of the letter in the RECORD at this point:

BUREAU OF INTERNATIONAL
SCIENTIFIC AND TECHNOLOGICAL AFFAIRS,
August 16, 1973.

Mr. LAURENCE E. LYNN, Jr.,
Assistant Secretary,
U.S. Department of the Interior,
Washington, D.C.

DEAR MR. LYNN: The Department of State has reviewed the draft environmental impact statement, dated April 5, 1973, prepared by the Bureau of Reclamation concerning the Garrison Diversion Unit. In the course of our review, we have given particular attention to those sections of the impact statement that relate to the return flows that would be discharged to Canada via the Souris and Red Rivers.

Our review of the impact statement has proceeded, in large part, from an awareness of the obligations that the U.S. has assumed under Article VI of the Boundary Waters Treaty of 1900 together with our recognition of the strong endorsement the United States gave to Principle 21 of the Declaration on the Human Environment at the Stockholm Conference. These obligations, in our view, place a special responsibility on U.S. federal agencies to assure that federal actions which may affect the Canadian environment are carefully and fully assessed prior to final action.

The Government of Canada, has, as you know, expressed its concern several times to the United States Government regarding the adverse environment effects that return flows from the project would have on Canadian waters. The impact statement alludes to this problem in several places, summarized Canada's concerns very briefly and notes that this matter is now under discussion and study between the two governments. However, given the gravity of Canada's concern and the importance of the political and legal issues involved, we believe the draft statement's discussion of this aspect of the project is inadequate. As it now stands, the statement notes that the water flowing into Canada will be "somewhat degraded" and it summarizes Canada's concerns on page IV-52 very briefly without commenting on these points item by item. In contrast, we would urge that the statement be expanded to include a fuller and more quantitative assessment of the possible adverse as well as beneficial effects the project might have on Canada, taking into account the various studies on flows, salinity, and other water quality parameters (pesticides, nitrates, trace metals, temperature, sediments, etc.) that we understand the Bureau of Reclamation has underway.

Moreover, we believe the section of the report (page VIII-36) dealing with alternatives for handling the flows should be expanded to spell out more precisely the financial and environmental costs associated with alternate ways to deal with this problem. The current section dealing with alternatives, in our view, presents conclusions but does not offer detailed supporting data to enable the reader to judge independently the validity of the assertions being made. Also, while the impact statement acknowledges that the problem of the Souris is being discussed with Canada, the reader, at this uncertain stage in the deliberations, necessarily has not insight as to how this aspect of the project will really come out and whether, in fact, a mutually satisfactory resolution will be found. Thus, an important aspect of the project admittedly remains in doubt from an environmental standpoint and, we, therefore, question whether the Executive Branch can take final action on this aspect of the Unit, pending further developments.

Under these circumstances, the Department of State feels that the draft impact statement does not adequately address the serious international problems' of an environmental nature raised by this proposal, and that the statement is therefore unacceptable from this standpoint. We also would suggest that any final action on this aspect of the project should be deferred until further and intensive efforts are made to achieve a satisfactory accommodation following which a revised or separate draft environmental statement covering the Souris and Red Rivers might be prepared and circulated. In the meantime, any continuance of other aspects of the project should not prejudice the outcome of the further studies of this question.

We fully appreciate that the Bureau of Reclamation is making every effort to carry on informative and mutually constructive discussions with the Canadians. We stand ready to provide all assistance in bringing the outstanding problem with Canada to a mutually satisfactory resolution.

Sincerely yours,

CHRISTIAN A. HERTER, Jr.,
Special Assistant to the Secretary for Environmental Affairs.

OIL AND FOOD

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. BINGHAM. Mr. Speaker, in recent weeks we have heard a great deal about U.S. dependence on Arab oil. We have heard very little about Arab dependence on U.S. agricultural exports. While the dollar value of the food we export to the Arab world may be small compared to the value of the oil we import, the significance of such food shipments should not be overlooked.

On November 8, I brought to my colleagues' attention figures published by the Department of Agriculture revealing the amount of grain that we exported to the Arab States in fiscal 1973. The re-

sponse to this information indicated great interest in the subject.

Because of that interest, I include herewith data on U.S. exports of foods other than grains to the Arab States participating in the oil embargo:

U.S. AGRICULTURAL EXPORTS TO THE ARAB STATES PARTICIPATING IN THE OIL EMBARGO AGAINST THE UNITED STATES—FISCAL YEAR 1973—EXCLUDING GRAIN

(Value in thousands)

1. Qatar:	
Animals and animal products	$22
Fruit	9
Nuts	4
Vegetables	21
Oilseeds and products	19
Seeds—Field and garden	24
Other vegetable products	127
Total	226
2. Bahrain:	
Animals and animal products	237
Fruit	72
Nuts	16
Vegetables	281
Feeds and fodders (except oilcake)	67
Oilseeds and products	63
Seeds—Field and garden	12
Other vegetable products	413
Total	1,162
3. Iraq:	
Animals and animal products	508
Fruit	4
Vegetables	36
Feeds and fodders (except oilcake)	5
Oilseeds and products	4
Seeds—Field and garden	247
Other vegetable products	391
Total	1,194
4. Kuwait:	
Animals and animal products	413
Fruit	285
Nuts	39
Vegetables	675
Feeds and fodders (except oilcake)	413
Oilseeds and products	1,388
Seed—Field and garden	13
Other vegetable products	1.649
Total	4,875
5. Saudi Arabia:	
Animals and animal products	1,422
Fruit	520
Nuts	194
Vegetables	1,723
Feeds and fodders (except oilcake)	1,258
Oilseeds and products	1,653
Essential oils and resinoids	21
Other vegetable products	2,302
Total	9,301
6. Algeria:	
Animals and animal products	4,901
Vegetables	1,116
Oilseeds and products	187
Tobacco	98
Cotton	709
Seeds—Field and garden	90
Other vegetable products	118
Total	7,219
7. Libya:	
Animals and animal products	351
Fruit	122
Nuts	45
Vegetables	194
Feeds and fodders except oilcake)	27
Oilseeds and products	92
Tobacco	2,708
Essential oils and resinoids	3
Seeds—Field and garden	118
Other vegetable products	293
Total	3,953
Animal and animal products	7,854
Fruit	1,012
Nuts	298
Vegetables	4,046
Feeds and fodders (except oilcake)	1,770
Oilseeds and products	3,406
Tobacco	2,806
Cotton	709
Essential oils and resinoids	24
Seeds—Field and garden	504
Other vegetable products	5,293
Total (by product)	27,722

NOTE.—Figures concerning agricultural exports to Abu Dhabi, a member of the United Arab Emirates and a participant in the oil embargo, are not separately available and thus are not included.

NOTE.—Other Vegetable Products includes: Coffee, drugs, herbs, roots, syrups, extracts, honey, nursery stock, seeds except oils, and spices.

SOURCE.—U.S. Department of Agriculture.

INDIANA FARMER PROPOSES COW MANURE GAS AS NEW ENERGY SOURCE

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. ROUSH. Mr. Speaker, in this time of great concern over the future energy sources that we will need, much exploration of new sources is being undertaken. I thought this body would be intrigued with the approach of Mr. John Shuttleworth of Redkey, Ind., as reported in this article from the Fort Wayne Journal Gazette:

REDKEY ECOLOGIST DEMONSTRATES: KEY TO ENERGY CRISIS

(By Dell Ford)

REDKEY.—It's no big deal to watch someone fry an egg over a gas flame. Or look at a gas-fired water heater or refrigerator. Or listen to the purr of a 1948 gas-fed Chevy engine.

No big deal? Not true. Because the gas providing the oomph for all of the above "jobs" came directly from cow manure.

The demonstrations of methane gas produced from animal waste were conducted Friday afternoon on the Richard Shuttleworth farm four miles south of Redkey. Among the numerous interested onlookers were media members including representatives of Time magazine and NBC-TV.

John Shuttleworth, Richard's 36-year-old son and the guiding force behind The Mother Earth News and its companion publication, Lifestyle!, matter-of-factly observed there's nothing new about methane from a manure.

"What is news," the bearded ecology enthusiast pointed out, "is what we're trying to show here. That there is no energy crisis if we start living an ecologically sound life."

An intense, articulate young man, he insisted "there's no need to wait for a crash program. To wait for the government or business or labor to make some big breakthrough." Emphasizing that "we're just raping the planet of energy," he said nature is "a self-righting force. If we cooperate with nature, we can survive."

Continuing his evaluation of what really was news in the Friday demonstrations on his father's 144-acre farm, the younger Shuttleworth said "it's news that on a farm in Indiana, with no big research lab or no big government grant—with ordinary hardware like garden hose, discarded storage tanks and an old gas stove—you can produce a supposedly exotic fuel which will run a gas engine, gas lights."

Warming still further to his subject, he maintained "it's so old that it IS new. It goes on around us all the time. It's a natural process. For instance, swamp gas. Why not harness it?" "The big news," he grinned, "is there is no news. It's so easy."

Easy? Here's how:

Shuttleworth explained that what his father did was pump the manure from 36 head of cattle into a tank 9 feet tall and 4 feet in diameter. "The anaerobic bacteria in that manure," he said, "WANTS to work for you. It eats the waste and produces methane gas and a very nitrogen-rich fertilizer."

He said his father filled the tank with manure in mid-July, the production of methane got under way on the third day and that daily production has been 41 cubic feet—enough gas, he claims, to heat his parents' 10-room house all winter.

Although the methane-from-manure did power the Chevy engine (the gas was piped from the digester tank to the engine via garden hose which also was used to take the gas from the tank to the stove for the egg-frying demo), Shuttleworth said it is not practical as auto fuel because the low mileage per gallon would necessitate too large a gas tank.

Shuttleworth, who, with his wife, Jane, launched The Mother Earth News four years ago "with $1,000 and a kitchen table in Madison, Ohio—on the shores of polluted Lake Erie," said "we don't care if General Motors or General Electric or General Mills or all the industrial generals want to come in and steal our idea and make a bundle. We're PR people for the planet."

It's his emphatic contention that "if we keep trying to do business in the old way, there's an energy crisis. We're saying 'Behold, damn it! There IS no energy crisis."

The next 15 years, according to ecologist Shuttleworth, "are going to make or break this planet. You think we have shortages now? Wait another five years—all kinds are coming down the road." He cited copper "and almost any basic mineral you can name."

The Mother Earth News people, he said, "are very little people trying to do big things. Trying to wake people up. All we want to do," he smiled slyly, "is change the world completely. It's very simple."

In connection with the demonstrations everyone had come to see, Shuttleworth's pointed observation was, "Relax, white man. It doesn't have to be done with multimillion dollar investments and some machine with electronic controls and transistorized panels!"

And darned if he wasn't batting a perfect 1000 on that comment. Cow manure, a big old discarded tank, a garden hose and other odds and ends and some hungry bacteria. Hardly a million dollars worth of equipment. But gas? For sure!

RECOMMENDS STUDY ON ABORTION

HON. HAROLD V. FROEHLICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. FROEHLICH. Mr. Speaker, I am today reintroducing House Resolution 585 to create a select committee to study the impact and ramificatons of the Supreme Court's decisions on abortion.

I am very proud to be joined in this resolution by 22 cosponsors. They are Mr. KEATING, of Ohio and Mr. RONCALLO of New York, who cosponsored my original resolution, and Mr. BAUMAN, of Maryland; Mrs. HOLT, of Maryland; Mr. HUBER, of Michigan; Mr. HUDNUT, of Indiana; Mr. LANDGREBE, of Indiana; Mr. LOTT, of Mississippi; Mr. MAZZOLI, of Kentucky; Mr. MINSHALL of Ohio; Mr. O'BRIEN, of Illinois; Mr. POWELL of Ohio; Mr. REGULA, of Ohio; Mr. ROE, of New Jersey; Mr. ST GERMAIN, of Rhode Island; Mr. SEBELIUS, of Kansas; Mr. SHOUP, of Montana; Mr. THONE, of Nebraska; Mr. VANIK, of Ohio; Mr. WALSH, of New York; Mr. WHITEHURST, of Virginia; and Mr. WON PAT, of Guam.

This honor roll of distinguished Members believes as I do that the issues raised by the Supreme Court's unprecedented decisions on abortion last January 22 are too important to be shelved by the Judiciary Committee or ignored by Congress.

Surely, the House has not become so timid that it is unwilling even to review the impact of two court decisions that struck down laws in every jurisdiction in the country and fashioned an unlimited right to abortion during the first 3 months of a woman's pregnancy. Whatever the merits of these decisions, they have had profound social, economic, and moral consequences that fully deserve the attention of the Nation's highest legislative body.

Once again, there would be no clear need for a select committee if the Subcommittee on Civil Rights and Constitutional Rights of the House Committee on the Judiciary scheduled public hearings on abortion. But the subcommittee has not taken this course. Indeed, from all indications, the subcommittee's leadership has long since decided that action will not be taken if it can be avoided. All the amendments and bills to modify the Supreme Court's decisions are apparently to be pigeonholed indefinitely.

Mr. Speaker, the issues at stake are too vital to America for us to sit back and permit a few Members to thoroughly frustrate the legislative process. I believe the House wants to act on abortion. House Resolution 585 provides a sound, sensible way to secure action.

I have been deeply gratified by the support I have received for this approach from concerned citizens throughout the country. I earnestly hope that people who support House Resolution 585 will advise the members of the Committee on Rules and their elected Representatives.

Mr. Speaker, I insert at this point an editorial from the November 7 issue of the Michigan Catholic:

CONGRESS TOO BUSY TO CONSIDER LIFE?

(By Fr. William X. Kienzle)

Bureacracies deal in frustration and committees of bureaucracies deal in absolute frustration. The truth of this axiom was never more evident than in today's Washington merry-go-round. If one wants to get nothing done, Washington's the place to do it.

Republican Representative Harold Froehlich of Wisconsin has been trying his best to get some action from the House Judiciary Committee on proposed legislation and amendments to reverse the Supreme Court's recent ruling on abortion. At best, such legislation faces an uphill climb as legislators wonder whether the folks back home favor such a law.

But, as things stand now, the Judiciary Committee is busy with someother matters. Like: The possible impeachment of the President, the possible appointment of a special prosecutor to replace Archibald Cox and the confirmation of a new Vice-President.

As honest as are these concerns, those among us who are interested in life grow more despairing as abortion begins to replace birth control as a means of family planning. We know the nation is in deep trouble, but so are unborn children who continue to die by the thousands because the law allows them to be destroyed if they are inconvenient.

We in Michigan have ample proof that an informed electorate prefers life to death; it said as much in soundly defeating a liberal abortion proposal last year. But that is no consolation to the unborn who die today because their death is the law of the land.

It is clearly possible for Representatives and Senators to think of more than one item at a time. So it is possible for our legislators to conduct the serious and pressing business of clearing up Watergate and satellite matters while, at the same time, talking action to save the unborn.

Each of us has it in his or her power to inform our legislators that we want action limiting the massacre that abortion has become. After all, they really did not seem to be that interested in impeachment until they heard the ground swell of public opinion.

Perhaps, if they hear it again, they will turn to life, the most precious gift God has to give.

A VERY UNTIMELY RECESS

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. SHRIVER. Mr. Speaker, the leadership has announced its intention to recess the House of Representatives for 10 days surrounding the Thanksgiving Day holiday. In view of the critical problems and issues now facing our Nation, this recess would be extremely untimely and unwise.

More than a month ago, the President sent to Congress his nomination of GERALD R. FORD to be our new Vice President. The Senate has scheduled action on this nomination before Thanksgiving, but the House will be in recess.

To meet an urgent crisis, the President has requested immediate action on energy legislation. But the House will be in recess.

A tenuous cease-fire has been worked out in the Middle East by our own Secretary of State. The President's request for emergency assistance to Israel to maintain the balance of power is pending in Congress. But the House will be in recess.

We are faced with a crisis of confidence in our Government. But the House will be in recess.

I strongly urge the majority party leadership to reconsider this ill-timed recess or, at least, to give the House membership an opportunity to vote it up or down. Our Nation needs and deserves to have Congress in session during these crucial days.

LHA'S AND THE "SHIPYARD OF THE FUTURE"

HON. TRENT LOTT

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. LOTT. Mr. Speaker, when the first of the proposed 30 Spruance class DD-963 destroyers was launched last weekend at Litton's "Shipyard of the Future" in Pascagoula, Miss., many of the shipyard's most severe critics acknowledged that the new yard had, indeed, passed an acid test of its skills. For those who still doubt Litton's ability to build ships, please allow me to direct their attention to the yard's early December launching of the first of the new multi-purpose amphibious assault ships, or LHA's.

Because the LHA's have concerned so many of us here in the Congress, I want to insert in the RECORD an article featured in the November edition of "Sea Power," the official publication of the Navy League of the United States:

THE NAVY, THE MARINES AND THE NATION TAKE A GIANT STEP TOWARD NEW AMPHIBIOUS CAPABILITIES WITH LAUNCH OF FIRST LHA

(By James D. Hessman and Bernadine M. Kopec)

Sometime in early December USS TARAWA, first of the new multi-purpose amphibious assault ships, or LHAs, will be launched in Pascagoula, Miss., and the science of sudden warfare will be given a dramatic new dimension.

For the Navy the long-awaited day will mean the arrest, temporarily, at least, of the long decline in U.S. amphibious capability, which has seen the on-board inventory shrink from a Vietnam peak of 165 ships to only 65 operational as of October 26, 1973.

For the Marine Corps it will mean the ability, for the first time, to launch a coordinated, concentrated, lethal, and extremely swift air and sea attack all from one ship.

And for the builder, the Ingalls Shipbuilding division of Litton Industries, it will mean at least partial vindication, after understandable start-up problems, of the big corporate gamble taken several years ago to bring aerospace production techniques and technologies to the neglected American art of shipbuilding. The company's west bank yard was useless swamp only five years ago; today it is perhaps the most valuable chunk of real estate in the entire state of Mississippi.

The LHA, or "Landing Helicopter Assault" ship, is usually billed by the Navy as a "combination of several ships," including the amphibious assault ship (LPH), the amphibious transport dock (LPD), the attack cargo ship (AKA), and the dock landing ship (LSD).

That description is a modest one, however. With a full 820-foot flight deck as well as a hangar deck and the ability to carry, maintain, and operate approximately 30 troop helicopters, or a mix of helicopters and V/STOL (vertical/short takeoff and landing) fixed-wing aircraft, USS TARAWA is also part aircraft carrier.

With a mind-boggling array of computers, radars, external and internal communications systems of all types, and numerous other associated supporting systems, equipments, and display consoles, she can also serve as a command, control, and communications ship par excellence.

Finally, USS *Tarawa* and her sisters (*Saipan, Philippine Sea, Leyte Gulf*, and *Khe Sanh*—LHAs 2, 3, 4, and 5, respectively) will be tigers with real teeth, more powerfully armed than many destroyers: three 5-inch

54-caliber guns, six 20mm machine guns, and two Basic Point Defense Missile System (BPDMS) launchers, as well as the helicopters and/or V/STOLs and a full load of over 1,800 combat-ready Marines.

THE PANAMA CANAL AND CHRISTOPHER COLUMBUS

As might be expected, any ship as powerful, as complex, and as versatile as the LHA is necessarily also going to be a very large ship. *Tarawa* is, in fact, at 39,300 tons (full load), some 6,500 tons bigger and, with a 106-foot beam, three feet wider than the Navy's workhorse ESSEX-class aircraft carriers. She is not as fast as a carrier, but with a maximum speed of 24 knots (as estimated by "Jane's Fighting Ships") she will be the fastest amphibious ship ever built and could, if she wanted to, literally run rings around most of the ponderous World War II types she is destined to replace.

The truly immense size of the ship, in an age of superstatistic saturation, is best illustrated for landlubbers, perhaps, by a couple of homely comparisons taken from Navy/Litton LHA data sheets:

Tarawa's 106-foot beam is, by design, "three feet slimmer than the narrowest part of the Panama Canal."

Her tallest mast, 221 feet above the keel, is too tall to permit the ship to pass under the Brooklyn Bridge. Ship designers solved the problem for Brooklyn fans by equipping *Tarawa* with a tiltable mast which when folded cuts the height of the mast by 23 feet.

Even grade schoolers could understand another far-out comparison: if Christopher Columbus had had a fleet of 27 ships the size of his flagship *Santa Maria*, they could all fit on the flight deck of USS *Tarawa* without touching one another.

USS *Tarawa* will be powered by only two boilers—but they're the largest ever manufactured in the United States, as well as the largest of any in current Navy service. They will generate 400 tons of steam per hour and develop 140,000 horsepower, or the equivalent of about 700 automobiles—if all that energy were converted to electrical power it could supply a city of about 160,000 population.

KEEPING COOL IN COMBAT

Veterans of the World War II island-hopping campaigns of the South and Central Pacific would probably appreciate most one distinctive feature of the LHA: the ship is equipped with 1,200 tons of air-conditioning—enough to cool many of the equipment areas, as well as all crew, troop, and hospital facilities. That means, in other words, air conditioning systems sufficient to environmentally control an office building of 800,000 square feet.

Habitability has not been neglected in other respects, either—a most important factor for the approximately 262 officers and 2,543 enlisted personnel (109 NCOs and CPOs, 762 enlisted crew members, and 1,672 troops) which *Tarawa* is designed to carry. The ship's library, troop and crew recreation rooms, hobby shops, and comfortable modern messing and berthing spaces all represent a quantum advance over the hot, crowded, noisy, and uncomfortable quarters which are the way of life on most amphibs. Even office spaces have been "civilianized" with bulkheads much like conventional office walls, thanks to extensive use of aluminum and vinyl-faced honeycomb bulkheads, the first in the Navy.

Just in case the troops get too comfortable, however, the LHA is also equipped with a speical 5,000-square-foot troop training and acclimatization room where landing forces can be "exercised in a controlled environment simulating that on which they will land."

Of special importance to personnel, as well as to the ship and mission, is the extra dimension of safety provided by the various fire, smoke, and carbon dioxide detection and extinguishing systems and alarms scattered throughout the ship.

Also several giant steps ahead of their predecessors are the ship's interior communications system, closed circuit TV sytsem, and helicopter/landing craft offload facilities.

The Interior Voice Communication System, or IVCS, includes 558 dial phones and 132 net phones tied into two switching centers (equipped with emergency switchover capabilities). To make it even more difficult for anyone to get lost there's also a six-net Man on Move system, or MOM, which interfaces with the IVCS and which, through six "base stations," can keep in touch—via short-range radio sets built into helmets—with as many as 65 individuals or personnel parties on the move throughout the ship.

The closed circuit TV system, or CCTV, is used for: (1) surveillance of sensitive spaces (nine cameras, eight monitors, two video recorders); (2 briefings (five cameras, 14 monitors, 14 audio stations); and (3) entertainment and training purposes—for which there are 48 receivers, 120 outlets, and a complete TV studio with 16mm film, slide display, and video recorder equipment.

The helicopter/landing craft offload system is designed to get a "balanced assault payload" ashore in the fastest possible time, and features a complex but well designed cargo and personnel movement plan, with a flow scheme similar to that of a multi-level parking garage, which permits simultaneous lift and offland of troop", trucks, armored vehicles, and other equipment by the 30 helicopters and four LCU–1610 type landing craft carried.

A specially designed "bowthruster" permits the ship to hold its position in the water and/or move laterally at low speeds when the main propulsion equipment is idled to permit offloading of landing craft from the well deck aft. Another key feature of the offland plan is the ship's deliberately redundant elevator system: five freight and cargo elevators, two vertical conveyors, two aircraft elevators, and two personnel and medical elevators.

Other special and innovative features worthy of individual mention are a ballast system big enough to hold 12,000 tons of sea water, a fuel transfer system capable of transferring 360,000 gallons of oil per hour, a virtually 100 per cent do-it-yourself industrial repair capability (among the ship's 1,400 compartments are 50 mechanical and electrical shops), and a pollution prevention/abatement system which includes three sewage treatment plants (capable of supporting 900 people) and sewage waste tanks numerous enough and big enough to hold 1,400 tons of sewage and human waste.

NIXON DOCTRINE REDUCTIONS

The LHAs do not come cheap. At an estimated (by "Jane's") $210 million per copy, in fact, they will be the highest priced amphibious ships ever built. But quality never comes cheap, and costs are relative. On a per-ton basis the LHA will be only half as expensive as CVN 70, the Navy's long-pending fourth nuclear attack aircraft carrier, and only about one-twentieth as expensive as the new Trident ballistic missile submarine.

More important than absolute dollar costs, of course, is value received. And, just as CVN 70 and Trident might someday well mean for the United States the thin margin of superiority in any major confrontation with the Soviet Union (or other future superpowers), the LHA—with its unique combination of the best capabilities of several different types of ships which undoubtedly would collectively cost more than the LHA if built separately—could mean, in less traumatic battle scenarios, the difference between protracted conflict and an early end to the fighting, the difference, for beleaguered U.S. allies, between their rapid reinforcement and their equally rapid capitulation, perhaps even the difference, merely because of its muscular presence, between war and peace.

One factor which undoubtedly contributed to the overall cost of the LHA program was an Administration decision on January 20, 1971, to cut the planned buy from nine to five ships. The cutback, which caused considerable disquietude at Marine Corps Headquarters, was described as being consistent with the then-new Nixon Doctrine (which requires more use of indigenous troops, less reliance on U.S. manpower), but it is suspected the immediate dollar savings achievable were an important factor in the decision.

At any rate, the cutback meant payment by the government to Litton of a $109.7 million "cancellation fee"—as prescribed in the original contract. The Navy and Litton both took an unfair rap for many months thereafter for having to spend so much money "on ships that will never be built."

At least partially offsetting the cost of the cancellation fee are savings realized through multi-ship production of the entire LHA line at Litton's assembly-line Pascagoula yard, sometimes referred to as the "shipyard of the future." Because of its modular production system the yard is able to work on several ships in a series simultaneouly, using an intricate track system to move increasingly larger components and subcomponents of a ship forward in easy stages to waterside, where, in the case of the LHAs, the three major sections—bow, stern, and midships—are finally married together prior to launching. Well publicized initial delays in gearing up for the first LHA caused early slippage in the program, but the soundness of the system is indicated by a schedule which now programs all five LHAs for commissioning within the short space of the two-year 1975–76 period.

One final cost factor is worth noting: using a "lifetime cost" approach, Navy and Defense Department decisionmakers consciously opted wherever possible in favor of automated equipment (reducing long-term manpower costs), improved and advanced—and, therefore, in most cases, costlier—paints, pipings, and special metals (reducing short- and long-term maintenance costs), and other state-of-the-art innovations such as special tie-down features for vehicles (reducing repair costs). The end result is higher initial costs for the taxpayer, but lower costs overall.

TWO HERE, TWO THERE, ONE IDLE

LHA deployment plans haven't been announced, but it is logical to speculate that at any one time two will be overseas—one in the western Pacific and one in the Mediterranean—in a full state of readiness, two will be stateside (one on each coast) with all vehicles and equipment abroad, but troops ashore, and one will be either in the yard for periodic maintenance and overhaul, or available as a swing ship to reinforce either coast.

Given such deployment, the potential value of the LHAs to future U.S. military decisionmakers is incalculable. Thanks to their speed, unprecedented for the amphib Navy, the LHAs could be as much as 300 miles away from a trouble area at dusk, steam at maximum speed through the night, and be on the scene of battle in time to make a dawn landing. The hope is, of course, that with the LHA and other American ships in the area potentail trouble spots will cool down before hostilities start—it would only take one such war that never happens to justify the cost of the entire LHA program, perhaps of the entire U.S. Navy.

Another possible use for the LHA which even the most dovish of Congressmen would approve: as an emergency assistance ship for use in major disasters such as earthquakes in Nicaragua, floods in Pakistan, famine in Biafra. In the "generation of peace" forecast by President Nixon, that truly would be a

new and most benevolent projection of American sea power for the good of all mankind.

SEA POWER: THE ANCHOR OF FREEDOM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. BOB WILSON. Mr. Speaker, at no time in world history has there been peace without strength on the part of those preserving peace. This has been an iron rule of history and yet we continue to see a decline in the strength of U.S. naval forces while the Soviet Union continues to build up its fleet as a faster pace than ever. We owe it to future generations of Americans not to allow this grim situation to continue.

This is pointed out so clearly in an article by Rear Adm. Ernest M. Eller, who recently retired as Director of Naval History and is author of the book "The Soviet Sea Challenge."

I insert Admiral Eller's article, which appeared in the November issue of Sea Power magazine to be printed in the RECORD for the benefit of our colleagues at this point:

SEA POWER: THE ANCHOR OF FREEDOM—THREATENED BY SOVIET DRIVE FOR OCEANIC SUPREMACY

(By Ernest M. Eller)

(NOTE.—Rear Admiral Ernest McNeill Eller, former Director of the Naval History Division, retired from the Navy in 1970, ending a distinguished 48-year career. Currently, he is serving his second year as National Historian of the Navy League. Author of the book "The Soviet Sea Challenge," Admiral Eller has been an anxious observer of the Soviet Union's expanding military might, especially on the oceans of the world. These are his views.)

Some three years ago, shortly before his death, Mendel Rivers gravely warned Congress: "All Americans have been given the blessed and priceless heritage of freedom—a freedom which . . . is in terrible jeopardy. The Soviet Union is now one of the world's two leading sea powers . . . possibly the leading power . . . I can only warn the members of this House that we are on the brink of disaster and I have never before been as concerned in all the years I have served in the Congress."

Conditions have worsened dreadfully since then. In the face of phenomenal Soviet gains at sea that some observers, such as Captain John Moore, editor of "Jane's Fighting Ships," believe make the USSR the number one sea power in the world, and despite the fact the gap between Soviet and U.S. strength widens daily, the United States continues to cut back its defense spending. In late August the Navy Department announced it would slash deep into muscle once again, dropping the fleet to 518 active ships by the end of the fiscal year.

The United States is already weaker, in a relative sense, than in 1939 when unpreparedness in the West helped bring on the catastrophe of World War II. Friend and foe recognize this. Consequently, the latest shift of the balance of power at sea to the USSR has already brought her far-reaching political gains which highlight with frightening import the deterioration of U.S. influence abroad following her decline afloat.

Today the shadow of the Bear looms over even the Caribbean, no longer a safe sea frontier. Cuba, long considered critical to U.S. security, becomes, despite occasional signs of independence, more and more a Soviet political and military outpost. According to underground reports Cienfuegos is not the only Cuban port under development as a potential Soviet naval base, and the Kremlin continues to add guided missile vessels to the Cuban fleet.

Communist agents fan out from Cuba throughout Latin America, where in recent years leftist parties have increased in numbers and aggressiveness. When they gain power—as they had in Chile (once, like Cuba, a close friend of the United States)—they scream "Yankee go home," confiscate American property, and embrace the Soviets.

FROM ICELAND TO EGYPT

Iceland, a keystone of North Atlantic defense, tells a similar sad story. Her present government is seeking withdrawal of American forces—primarily U.S. Navy aviation units conducting surveillance flights over the adjacent waters through which the Soviets submarine fleet debouches into the Atlantic. Nor are her relations with her NATO neighbor to the south more harmonious. For several months Iceland and Britain have been engaged in a "Cold War" over fishing rights. If the dispute is not resolved to Iceland's liking, it will not be surprising if she moves further from the Western alliance.

The Sixth Fleet once defended freedom uncontested in the Mediterranean. Now the Soviet "Sixth Fleet" often outnumbers it. Most of North Africa leans toward Muscovy and is closed to visiting American warships. Where once the Stars and Stripes waved, the hammer and sickle dominates. As one example of what this change means, Libya last summer expropriated all foreign oil corporations, taking majority ownership. Most of the oil and natural gas for an energy-hungry world that would flounder without it lies in Muslim North Africa and the Middle East. The leaders there well know this, as does the USSR, now the leading "outside" power in that part of the world.

The eastern Mediterranean south of Turkey is almost a Soviet lake. Seeing which way the wind blows, Turkey also has made accommodations with Moscow. Long under British protection, Egypt now welcomes Soviet assistance. Because of internal intrigue, President Sadat in July 1972 ordered Soviet "advisers" and troops to leave the country. But this was only a temporary squall, no doubt in part for political effect. Egypt is still in the Bear's claws, as October's events made clear, and depends on the USSR for arms, economic strength, and her own military viability. The Kremlin has gained what Peter the Great vigorously sought long ago, a foothold in the Middle East.

Just as the Russian Bear has the Suez Canal within reach, so does he grasp for control of the southern approaches to the Red Sea. Britain's departure from Aden left a vacuum the Soviets eagerly filled. Through military and economic aid they have gained predominance in countries on both flanks of the Gulf of Aden. They seek the same influence in the Persian Gulf area, from which an ever-increasing stream of tankers flows to feed the insatiable economies of the West and Japan. For centuries the tsars sought control of the Middle East. Now, almost overnight, it seems, Soviet influence flows by air and sea through this area of overwhelming economic and strategic value.

THE LOST VACUUM

Perceptive men long ago urged the United States to increase her own small Middle East Force to fill the Indian Ocean vacuum—a vacuum which, of course, no longer exists. When England began to withdraw her forces from east of Suez, the United States dallied, and Soviet warships sailed in. Besides their own Indian Ocean fleet, USSR combatants serve in India's Navy, and the Kremlin has helped "neutral" India build a submarine base. In summer 1971 Moscow and Delhi signed a mutual assistance security pact. It seems to some observers no coincidence that not long afterwards Indian troops invaded East Pakistan to "liberate" the natives. Russian backing of the venture may well have prompted India's attack; gifts of Russian arms undoubtedly insured its success. With fleets in the Mediterrean and Indian Ocean, and with the mounting dependence of many nations upon Iron Curtain aid, the USSR has become the leading force in the whole seething area.

Admiral Sergei Gorshkov, Commander-in-Chief of the Soviet Navy, and members of the Politiburo have heeded facts that America has ignored. Perceiving the immense gains resulting from deployment of their fleets around the world, Soviet leaders continue to expand their worldwide capabilities. The recent addition of aircraft carriers to the Soviet fleet is only a small part of the buildup, but indicates how the Soviets have learned their lessons.

Yet, even as the USSR builds carriers in her furious expansion of sea power, the U.S. fleet dwindles. In fiscal year 1974 scheduled slashes will drop the U.S. Navy to 518 ships, some 45 per cent less than in January 1969. Even the infamous attack on Pearl Harbor did not reduce the U.S. fleet to the low levels now projected.

Had a powerful foe decimated America's naval strength in battle, the nation would have risen in a frenzy of anger and fear. Instead, Americans, heedless that national survival is at stake, complacently accept their Navy's new status as number two sea power. There are those who rationalize, saying the addition of new ships gives the smaller fleet a lower average age with more modern equipment. This is true. The fleet will be younger—but still much older than the Soviet fleet.

But these sophists are playing ostrich. The Navy was stretched to the elastic limit in 1968 trying to carry out her world duties. Except for the Vietnam war (in which many smaller vessels were deployed), obligations have not lessened. Furthermore, if, as has actually happened, an opponent openly bent on outdistancing the United States adds two or three new ships for every new ship built for the dwindling U.S. Navy, whose annual losses (through retirement of older ships) have consistently outnumbered gains in recent years, there is no way the U.S. fleet could be growing stronger in comparison with the Soviet Navy.

Nearly two years ago, Admiral Elmo R. Zumwalt, Jr., Chief of Naval Operations, responding to a question from Congress, spelled it out quite clearly: "The U.S. Navy has lost strength in the last year both absolutely and relatively to the Soviet Union." His warning was unheeded. At the close of 1973, Admiral Zumwalt's assessment of the military situation would have to be: "We have disastrously lost more ground at a faster pace. The Soviets have passed the U.S. Navy in strength—and continue to build furiously to widen the lead."

THE LIFE PRESERVER

U.S. naval strength has declined, moreover, despite constant proof that maritime strategy is a sure preserver of democracy, America grew to greatness under the umbrella of *Pax Britannica*, which allowed other nations to prosper under the various forms of government they preferred. Then, with uncontested superiority afloat after VJ Day, the United States carried on this live-and-let-live policy, helping less fortunate peoples to resist aggression in Korea, in Vietnam, and in the Middle East. Today, in 1973, however, the short-lived *Pax Americana* swifty wanes, and is being succeeded by the graveyard peace of *Pax Sovietica*.

There never, at any time in world history, has been peace without strength. Nor is there any reason to believe the present generation can reverse this iron rule of history. Amer-

ica's present relative weakness at sea may very well encourage the Soviets to act more boldly. It certainly weakens the resolution of America's friends and, if unchecked, will inevitably undermine U.S. will and wisdom in foreign policy decisions—if it has not done so already. It could, in short, lead to another Munich with loud proclamations of "Peace in our time."

U.S. weakness at sea also could lead to another Korea, because lack of power might once again result in America's drawing a perimeter of defense, as in 1950, that clearly left defenseless a people threatened by communist aggression. The United States still, of course, has a vast reservoir of goodwill in South Korea, whose people understand the sacrifices this country made in order that they might have control of their own destiny and attain the peace denied for generations by aggressive neighbors. On that belaguered Asian peninsula, as elsewhere, the United States alone of the great powers has given much of herself and asked for nothing in return.

GENERATION GAP

But the record of the past generation notwithstanding, there are today some Korean leaders in the South who fear the United States will not, for lack of capability if not for lack of will, be as strong an ally in the future, and for this reason have reluctantly assented to the recent unification talks with North Korea. Their fears may be well-founded. For the next confrontation between East and West could very well be set in a climate of nuclear blackmail, making it impossible for America's inferior naval strength to be streached to a foreign shore.

History's bitter lesson, repeated time after time throughout the ages, is that it costs far less to prevent war by keeping strong than to fight it. And the reason the lesson is so often repeated is that it is apparently a most difficult lesson for good men to learn—they either never learn it at all, or they quickly forget it.

Tens of thousands of American servicemen gave their lives in the grim hills of Korea. The money "saved" by the budget cuts of the late 1940s was exacted a thousandfold. The United States managed to ultimately save South Korea but only because no Russian navy of consequence then existed. Would the outcome be the same today? Could the other dozens of brilliant U.S. peacekeeping operations—Lebanon and the Cuban missile crisis, to cite two examples—be repeated in the 1970s?

Future generations will wonder how the American public could shut its eyes to history's warnings on unilateral disarmament. No weapons race in itself causes war; a one-country "race" by an aggressor, with the peaceseeker idly watching, does. Such a race is taking place today, and the consequences are frightening to contemplate. The fearful shift in relative maritime strength to the Soviet Union, if unchecked, could mean an early eclipse of the United States as world leader.

The richest nation, the most generous, idealistic, and philanthropic, the leader of freedom—but a freedom which depends irrevocably upon superior sea power—seems prepared, in short, to abandon her leadership. America's friends throughout the world, and they are still quite numerous, are puzzled. They ask if a nation much less capable than the United States, under tyranny and with half the U.S. economic capability, can make such great gains, what is wrong with the American system? Why cannot Americans understand that when an expanding empire gains control of the oceans it also gains control of nations which border those oceans? Surely, it would seem, if a weaker government can concentrate resources to dominate the great waters that join all shores, the United States should be able to mount wisdom and resolution enough to match the effort. And surely some luxuries and domestic social experiments, however desirable in themselves, could be postponed for essentials to save the future.

Every American may well heed the words of former Representative Durward Hall of the House Armed Services Committee: "I'm scared to death. . . . The Soviets will have a military force, and particularly strategic forces, strong enough . . . to checkmate the United States. . . . The crucial question is what the American people will do when the communists says: 'We've got you checkmated. Now dance to our tune.' "

There may still be time for the United States to reverse the downward trend, but the opportunity is fading more swiftly than the setting sun. In the English-French wars of the 18th century the sea-girt isles did reverse their decline in naval strength in time to meet Napoleon's threat. Thus, possibly, history might be saying, the United States has a chance. Even the term "possibly" may be too hopeful, however, because the point of no return may already have passed. Today's margin for action, and for error, is but a slim fraction of what it was two centuries ago when men did not have to deal with aircraft, ICBMs, and submarine missiles streaking over the horizon bearing nuclear warheads. There will be no time this time to rebuild neglected strength. Today's warships take years to construct, but only minutes to destroy—by enemy action or, more often, by legislative fiat.

LATE MEANS NEVER

If the United States is not ready at sea when the crisis comes, there will not be time to get ready. U.S. military forces are far weaker, compared to the forces of the Soviet Union, than at any time since the Bolsheviks came to power. Already the U.S. Navy faces an almost impossible job of coping with the huge Russian submarine force. As the Soviets achieve superiority in the number of nuclear ballistic missiles deployed in submarines (and that superiority is inevitable, given the present shipbuilding programs of the two countries) nuclear blackmail of the most vicious type would be easy to contemplate.

To illustrate: in one not altogether fanciful scenario suggested by think-tank strategists, whose job it is to think the unthinkable, Moscow would once again—as she apparently started to do in late October—dispatch air, ground, and naval forces to intervene in the Middle East. Simultaneously, a "hands off" ultimatum would flash from the Kremlin. With it would come notice that Soviet submarine missiles and ICBMs were zoned in on U.S. cities, and any move to intervene would trigger them. The United States would not, it is generally believed, initiate a nuclear exchange. Indeed the real question is whether she would even risk the possibility of such an exchange, even though much of the future of the Free World depends upon the Middle East.

American idealists, and there are many of them, scoff at such a possibility. Their reasoning seems to be that, because the United States would not resort to such blackmail, neither would the enemies of the United States. This is much like saying that because good citizens would not break the law, neither would criminals. It is extremely important to recognize the fallacy of such idealistic and well intentioned theories. Because, unless the United States acts promptly and with vigor to reverse course, the possibility for such blackmail, which already exists, will become almost irresistible.

The Soviets drive with unmistakable purpose to achieve ascendancy at sea; peaceful reversal will require "blood, sweat, and tears" from the American people, and a high order of leadership on the part of the President as well as Congress. Each day a solution to the problem becomes more difficult. Unless the United States quickly goes beyond the steps now underway—which are in the right direction, but halting and slow—she soon will have passed the last turning point.

Survival of the American way of life depends upon the will of the American people to preserve it. It depends upon the wisdom and integrity of national political leaders. Preservation demands superior strength, especially at sea. There is no alternative, and "detente" is no substitute.

Man has moved far since few were masters and most were slaves. He has farther yet to go if the United States and allies have but the sagacity to choose the right course and the fortitude to steer it. Charts marking the course clearly read: "Be strong at sea or die."

BLACKS SPEAK OUT IN SUPPORT OF ISRAEL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. RANGEL. Mr. Speaker, during the past few weeks, when the very survival of the little State of Israel was threatened, Americans from all walks of life from the Congress to the grass roots of our communities, rallied to urge our Government to provide Israel with the military assistance needed to repel its attackers and maintain its right to exist.

Black Americans like other Americans, recognize the moral responsibility, indeed obligation, of the United States to preserve the State of Israel and the freedom of the Israeli people. Two examples of the support among black Americans for the Israeli cause are the editorial which appeared in the Oklahoma Eagle, a leading black newspaper published in Tulsa, Okla., on November 1, 1973, and the statement issued by 74 prominent black unionists in mid-October that was placed in the New York Times by the A. Philip Randolph Institute of New York City.

I place the editorial and a news story describing the statement by the black unionists from the New York Voice of November 9, 1973, in the RECORD at this point for the information of my colleagues:

ISRAEL NEEDS SUPPORT

Some of these days we will have peace in the Middle East. But that will only come when it becomes apparent that the Jews are there to stay and when the oil companies on the one hand and the Russians on the other, either by innuendo or implied consent or by outright advocacy, quit encouraging the Arabs to promiscuous adventures and really work for detente between the Jews and the Arabs.

There has been enough tragedy there to fill a life time and enough blood spilled to assure Israel's right to existence and the need of the Arabs to recognize the reality of that existence.

Whatever motivated the western powers to grant Israel a homeland in 1948, the fact is, that now they have more than paid for the right to the land by the age long rules of international law which even the Arabs subscribe to—right of possession by conquest. That's how the Arabs got Palestine in the first place. They are certainly not historically indigenous to the area and therefore have no more "right" to it than the Jews whose ancient possession of the area is a matter of historical record.

Therefore, the president acted wisely in sending aid to Israel to help her maintain

her national integrity in the face of continued relentless pressures from the Arabs and others who seek only to profit from the oil and other resources in the area.

It is to be hoped that the greed, hatred and culpability which brought on the present crisis will be overcome by fairness and firmness.

It is also to be hoped that the boundaries eventually agreed upon will be those which will not permit Israel to be exposed to the adventurous whims of her neighbors. Only the U.S. is likely to assume the burden of this responsibility and we not only should—we must.

BLACK UNIONISTS URGE SUPPORT FOR ISRAEL

Leading Black trade unionists from across the country have issued an appeal for the support of Israel.

"We appeal to our government to provide Israel with whatever support it requires to defend itself in this hour of need," declared a statement published in The New York Times.

The statement, which was signed by 74 prominent Black unionists, was sponsored by the A. Philip Randolph Institute. Among those signing the statement were A. Philip Randolph, the pioneer Black trade union leader, and Frederick O'Neal, president of the Associated Actors and Artists, both of whom serve as vice presidents of the AFL-CIO.

"We have no doubt whatsoever that the defeat of Israel in battle would mean the destruction of Israel as a state and the annihilation of its population. This must not happen," said the statement.

In asking the Arab states to end their hostilities, the Black unionists declared: "The Arab people will gain nothing from the continuation of this conflict but more death, suffering and deprivation. This tragedy will only end when the Arab states agree to sit down with Israel and negotiate a peace. When this happens, it will be a joyous day, not only for Jew and Arab, but for all mankind. It will also be a joyous day for Blacks, whose fate is inseparably linked with the fate of Jews, as it is with the fate of all oppressed minorities."

Now that a cease-fire has been achieved and the elements of a peace agreement between Egypt and Israel appear to be emerging, we see greater prospects for real peace in the Middle East than at any time since the 1967 war. This peace, however, if it is to be viable, must be based on a mutual respect for the rights of all the parties to exist. We hope that the peace agreement now being negotiated will remove the need for Israel to ever again fight for her life.

ABSENT FROM QUORUM CALLS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 1973

Mr. LEHMAN. Mr. Speaker, yesterday I was absent for quorum call No. 573, and for rollcalls Nos. 574 and 575 due to commitments I had in my district.

Had I been present and voting, I would have voted "nay" on rollcall No. 574 and "yea" on rollcall No. 575.

HOUSE OF REPRESENTATIVES—*Wednesday, November 14, 1973*

The House met at 12 o'clock noon.

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

Who shall ascend into the hill of the Lord? Who shall stand in His holy place? He that hath clean hands and a pure heart; who hath not lifted up his soul unto vanity nor sworn deceitfully.—Psalms 24: 3, 4.

Draw near to us, our Father, as we stand in this circle of prayer. Cleanse our minds from fear, our hearts from malice, and our spirits from all desires unworthy of our best selves. As we pray do Thou take our lives and lift them to loftier levels of living, permeate them with higher hopes, make them throb with nobler impulses, and lead them to greater moral goals.

Let Thy kingdom come in our land and in all lands. Make the power of men to reside in goodness of heart, in the attitude of good will, in the spirit of justice and in the understanding of intelligent minds.

Bless Thou our President, our Speaker, and Members of Congress. With strong hearts, free hands and open minds lead them onward in the path of duty as they keep their faith in Thee, in our fellow men and in the ultimate triumph of all that is right. To the glory of Thy holy name. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3801. An act to extend civil service Federal employees group life insurance and Federal employees health benefits coverage to U.S. nationals employed by the Federal Government;

H.R. 5692. An act to amend title 5, United States Code, to revise the reporting requirement contained in subsection (b) of section 1308;

H.R. 8219. An act to amend the International Organizations Immunities Act to authorize the President to extend certain privileges and immunities to the Organization of African Unity; and

H.R. 9295. An act to provide for the conveyance of certain lands of the United States to the State of Louisiana for the use of Louisiana State University.

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

S. 2315. An act relating to the compensation of employees of Senate committees; and

S. 2681. An act to authorize appropriations for the U.S. Information Agency.

PROPOSED SOCIAL SECURITY INCREASE

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

Mr. MAHON. Mr. Speaker, we have concentrated this year in trying to look at the budget in the context of overall spending to a greater extent than heretofore.

I am not speaking in opposition to the proposed social security increase which the House will consider today. In fact, I expect to vote for it. I seek to put the increase in perspective as it relates to overall Government spending.

According to the discussion in the House on yesterday, the proposed social security increase will increase spending and the totality of the Federal debt this year by $1.1 billion. This will become a part of the $5 billion in congressional add-ons this year to the Presidential January spending budget.

I will discuss the fiscal situation in greater detail at another point in today's RECORD.

ENERGY CRISIS—ECONOMIC CRISIS

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

Mr. HANNA. Mr. Speaker, with all of the discussions about the energy crisis we had better realize that it has a partner called the economic crisis. In the changes that this situation will inevitably bring about there will be many losers and a few great gainers.

It has been the tradition of democracy that we try to bring equity and that we try to spread our largess as well as we can but also spread the suffering wherever we can. I think this puts a great burden on us in the House to look at programs that will meet the economic crisis, because life in America 5 years from today will be an entirely different life. In that situation there will be great travail, and we in the Congress must be ready for it. Next year, if we have not shown the American people a better program than we have up to now, there will not only be a cry of impeach the President but a cry of sack the Congress.

BIPARTISAN EFFORT CALLED FOR

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

Mr. RONCALIO of Wyoming. Mr. Speaker, we have heard much from our people about getting on with the Nation's business at this time and forget Watergate. I would like to note for the benefit of the Members that I understand this morning there was another