

If you don't believe it, I was talking to a young lady before. She had to run home to get her Social Security check because she is afraid somebody would steal it. She told me she gets \$208 and pays rent of two hundred some-odd dollars. Now, you tell me how in the devil can a woman or anybody—she can't even feed herself. It costs me more to feed my dog.

WOMAN from the audience. They don't want us to have dogs now.

Mr. GREGORY. I've got one.

The only point I really wanted to get off is that Social Security be taken off as income, and people that are paying rent are being ripped off.

I'd like to add to that. We started a lottery in New York State, and, while Governor Rockefeller was in office, they had been using the lottery money for every Tom, Dick and Harry to go out and have a cup of coffee. The purpose of it when this was put into effect was to be used for educational purposes, and, that way, it would reduce everybody's taxes.

Now, Mr. Ford comes out trying to cut the income taxes from twenty some-odd billion dollars. By the same token, he wants to raise the gasoline taxes and you and you and me and a whole lot more of us that are living on fixed incomes, we will never see a dime out of this reduction in taxes. But we will have to pay the fifteen cents a gallon that they want to put in there on top of it.

Now that we've got a few bucks, what is he going to do? Drain us, send us to the poorhouse or to a nursing home like these fellows they got in there now that are killing off our people?

Now, your Social Security. We are supposed to get a five per cent increase in July, is that right? Well, it seems to me that every time the senior citizen got an increase, we had to wait a year or a year and a half or better because in the last six or seven years, the two previous raises that we got took over two years. But, by the same token, in 1967, Johnson had a law passed to raise everybody in the Senate and Congress including President Nixon's salary up \$100,000. The legislators up here in Albany increased every one of themselves up to \$15,000, and they did this within forty-eight hours. They put it in effect in less than a month. But, still in all, we have to sit back and twiddle our thumbs for a couple of bucks. Now, Mr. Ford—

The only thing I want to say now is Mr. Ford wants to give Cambodia and the other side \$300,000,000.

My belief is charity begins at home. A lot of people in this country live in one-room shacks down in Tennessee and Virginia. This guy didn't want to hear it. We have a lot of people living right through Tennessee and Virginia and down there living in one-room shacks with four, five and six kids, and they can't get nothing. And they are starving to death. This man wants to go to work and give them \$300,000,000 in Cambodia. Let us all go after these people and tell them that charity begins at home.

In addition to that, Mr. Ford tells you to go out and buy a little car so you don't waste too much gas, but, by the same token, Mr. Ford and all the representatives in the

federal government are riding around with big limousines that suck up a gallon of gas when you turn the corner and that goes for the state and county. I think it's time we let them know about it.

Thank you.

## MAN'S INHUMANITY TO MAN

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1975

Mr. ANDERSON of California. Mr. Speaker, today is a day of particular significance. April 24, 1975, marks the 60th anniversary of the Armenian massacres, which saw the slaughtering of 800,000 to 1 million Armenians. At the same time, it is the National Day of Remembrance of Man's Inhumanity to Man. I am happy to say that I cosponsored House Joint Resolution 148, a joint resolution to so designate this day. I feel that at this time it is appropriate to ask ourselves what are the factors that breed mass violence, and what are the solutions to this problem. I also feel that we can make a good start by reexamining the ideals that make up our way of life.

Individualism and political sovereignty are ideals that stand as cornerstones of modern democratic thought. And similarly, the pride in one's family, in one's cultural and ethnic roots, as well as one's nation, are concepts that certainly deserve praise.

But at the same time, individual, family, and cultural differences all too often lead to conflict, which all too often lead to open aggression, and in turn, senseless violence. Add to these rather traditional concepts the more recent problems of overpopulation and subsequent food shortages, and the possibility of mass violence greatly increases.

We certainly do not have to look very far to see some current examples. Almost every day, terrorist groups carry out acts of senseless violence. In South Vietnam, we hear fears of a massive bloodbath with a Communist takeover of Saigon. And the recent inhumanities in Bangladesh and South Africa continue.

Yet, the problem does not lie in the concept of individualism itself. Nor does it lie in the cultural, ethnic, and national distinctions we find both inside and outside of national boundaries. For in striving for a strong, unified society, there is room for individualism; there is room for cultural differences; and there

is room for political differences that fall short of violence.

There is no room, however, for mass ignorance which leads to misunderstanding and, in turn, fear. Fear, that is, of anything that is minutely different from what we have come to know through prior personal experience.

Such ignorance and fear are surely a factor in the breeding of mass violence and the genocidal impulse. Yet, education itself is not the answer, for understanding stops far short of compassion. What also seems to be lacking is a strong sense of moral commitment. Simply understanding your fellow man does not necessarily mean having sympathy for his rights as a human being.

We are now in an era where we are finding it necessary to reexamine our societal institutions. Each part of society has a necessary function aimed at achieving the goal of societal harmony. What, then, is religion's role in a violent world? I think that the answer is obvious. The church's role is to help teach the moral values that are necessary for a civilized existence. The universities' role is to help educate in order to understand as well as respect what we have previously feared.

The fact that this day of national remembrance falls on the eve of the Bicentennial of our Nation's birth is, I feel, significant. It is time to reexamine the ideals that this Nation was founded on and ask ourselves if we are living up to them.

Individualism is not at the root of mass violence. It is, rather, the tool with which we can solve our conflicts which lead to aggression. For along with the concept of individualism goes the concept of individual rights and freedoms. The respect for our fellow man's freedoms can only start with the respect of our own. A greater understanding of our fellow man tempered with a morality that respects his rights as a human being is the necessary step away from uncivilized violence.

Solutions to the problem of mass violence and the genocidal impulse lie in relieving of economic disparities, for they lead to conflicts over hunger. They also lie in relieving educational disparities, for they lead to misunderstanding and ultimately intolerance. And finally, they lie in instituting a morality that transcends political, cultural, and individual differences. For in a society there is room for such differences. The recognition and respecting of their existence leads to societal unity. The intolerance of them leads to senseless violence.

## SENATE—Monday, April 28, 1975

(Legislative day of Monday, April 21, 1975)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by Hon. PATRICK J. LEAHY, a Senator from the State of Vermont.

### PRAYER

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

Almighty God, infinite, eternal, and unchangeable, we who are finite, temporal, and changeable open our lives for the indwelling of Thy spirit. We confess that without Thee our human strength and wisdom are insufficient for the urgent needs committed to us. Be with us, O Father, to guide us in actions great and

small, that serving Thee with our whole heart and mind and strength, this Nation and all nations may achieve that peace and justice which is the nature of Thy kingdom.

And to Thee shall be the glory and the praise. 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., April 28, 1975.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. PATRICK J. LEAHY, a Senator from the State of Vermont, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,  
President pro tempore.

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

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, April 25, 1975, be approved.

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

## WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, 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.

## UNITED NATIONS PEACEKEEPING FORCES IN THE MIDDLE EAST

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 86, S. 818.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 818) to authorize U.S. payments to the United Nations for expenses of the United Nations peacekeeping forces in the Middle East, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read a third time, and passed, as follows:

S. 818

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated to the Department of State such sums as may be necessary from time to time for payment by the United States of its share of the expenses of the United Nations peacekeeping forces in the Middle East, as apportioned by the United Nations in accordance with article 17 of the United Nations Charter, notwithstanding the limitation on contributions to international organizations contained in Public Law 92-544 (86 Stat. 1109, 1110).

## BILL MCGAFFIN

Mr. MANSFIELD. Mr. President, it was not until I was reading the RECORD over the weekend that I became aware that an old friend, a great reporter, a key investigator, Mr. Bill McGaffin, of the Chicago Daily News, had passed away.

At this time, I wish to express my deep sense of loss and my feeling of regret and to extend to Bill's family my wife's and my deepest sympathy and condolences.

Bill McGaffin was a gentleman in the real sense of the word, but that did not keep him from being a good investigative reporter. He was respected and admired by all Members of the Senate. I feel deeply and personally the loss of Bill McGaffin, because I believe he contributed much to the well-being of the fourth estate and to a better understanding of Congress and the Capital, which he covered so assiduously, and so well.

May his soul rest in peace.

Mr. HUGH SCOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. Yes, indeed.

Mr. HUGH SCOTT. Mr. President, I had learned of the passing of our friend, Bill McGaffin, and I have written a letter of condolence to his family.

I take this opportunity to join the distinguished majority leader in paying tribute to a journalist who was a great writer and who was, in addition, a fine reporter of events as they occurred, who was a perfect gentleman, whose fairness was notable, a gentleman whom we all trusted and with whom I had never had a disagreement, and a man who will be sorely missed because of his fine qualities.

I extend my condolences to his family, also, and I thank the distinguished majority leader for bringing up this matter.

## SOUTHEAST ASIAN REFUGEES

Mr. HUGH SCOTT. Mr. President, we are still in the midst of a serious situation in Southeast Asia. The number of Americans now there is below 900. The number of South Vietnamese evacuated has been considerable, compared to the number who would like to leave and thereby vote with their feet.

A substantial number of South Vietnamese whose survival otherwise would be at stake have been able to leave the country, some by commercial airlines, some by their own efforts, some by their

own small boats or by the vessels of others, or by going over boundary lines. Some inevitably will be left to a tragic fate.

The Committee on the Judiciary meets at 2:30 to consider the matter of 279 orphans who come in under a category in excess of 2,000 orphans we have already approved to the Judiciary Department for admission to this country. More than a third of these orphans are being brought out by the Catholic Relief Society, and the remainder by two other relief organizations. We undoubtedly will increase the amounts well past the 279 to admit other orphans into this country.

I urge Americans to open their hearts to these refugees, particularly to the children. I urge Americans, also, to consider how they can help by making contributions to the Vietnamese and Cambodian refugee relief funds. America always has opened its heart—to the Hungarians, to the Cubans, to Bangladesh, to Nigeria, to India, to all parts of the world that has seen this suffering of displaced and oppressed peoples.

I am not going to ask others to do what I am not willing to do, myself. I think it is sufficient to mention this simply because I do not want to be in a position of politicians telling other people what to do. But I hope the Americans will make it possible for these people to be resettled.

The United States will arrange for a resettlement in perhaps three or more resettlement bases in different geographical parts of the country. The States represented by those who are so filled with the goodness of mankind and so concerned about the rights of mankind need not fear too great an influx in any one State. This is where some vaunted liberal principles have broken down, I am afraid, where there is the fear of job displacement.

We brought 650,000 Cubans into this country, and they have become the heart and soul of Florida in many of its industries, businesses, and other supportive activities. The Hungarians have contributed greatly to our country and to its strength. I was at the Hungarian refugee relief camp outside of Rome on Christmas Day, to celebrate Christmas with these Hungarians.

I would like these people coming to the United States to feel that we want them, that we welcome them, that we are glad they were able to escape to freedom. But I do not want to be a part of any of this niggling or nit-picking about, "Don't send them to my State." I would be glad to see those come to Pennsylvania who wish to come to Pennsylvania and to be a part of our life, and we will welcome them.

Our hearts go out to them; and our hearts go out even more to those who may be killed because they cannot get out.

## 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 30 minutes, with statements therein limited to 5 minutes each.

#### REFUGEE PROBLEM

Mr. ROBERT C. BYRD. Mr. President, I have serious reservations about the plans being discussed to bring as many as 130,000 South Vietnamese refugees to the United States. I have heard figures ranging all the way from 130,000 to 174,000 to a million to a million and a half.

Humanitarian motives, I am sure, prompt those who favor this kind of undertaking, but in my judgment some very practical considerations raise grave doubts about the wisdom of bringing any sizable number of evacuees here.

Our relations with the South Vietnamese from the beginning have been hampered by the vast cultural differences that exist between our two countries—and this difficulty cannot be ignored when it is proposed to remove permanently large numbers of South Vietnamese citizens from their homeland. The fact that more than 8 million Americans are unemployed, and that our own country is experiencing an economic recession, does not add to the prospect for success of such a program, carried out in great magnitude.

A number of South Vietnamese themselves have voiced objections to the departure of large numbers of their fellow citizens, especially when the refugees include professional and highly skilled workers such as doctors, pharmacists, and teachers.

The ramifications of the problem are intensified by the importance of family and relatives in Vietnamese life. In many instances it will be necessary not only to move members of an immediate family, but parents and other relatives as well.

The United States currently has a jobless rate of 8.7 percent, the highest since 1941; and our overall economic picture—the recession, inflation, national debt, gross national product—is far from bright. Adding well over 100,000 South Vietnamese refugees to that picture will not help the United States.

What is really tragic for the refugees, who have already suffered greatly, is that the situations in which they would find themselves in America seem destined to be crammed with disappointments and frustrations.

For the unskilled refugee, there seems little hope of finding gainful employment; our own unskilled workers face bleak futures. For the skilled and professional refugees, there seems to be only the prospect of underemployment; doctors, lawyers, and teachers could wind up doing the most menial work. And for all the refugees, the language-barrier is an added burden that will not be easily overcome.

Former South Vietnamese Vice President Nguyen Cao Ky warned his countrymen about going to the United States. In a weekend speech in Saigon, he pointed out the problems inherent in

migrating to a different culture—unemployment, underemployment, and the general difficulties of adjusting quickly enough to a transcultural experience.

One big point that has bothered me all along in this matter is the matter of the actual number of South Vietnamese citizens who may want to leave or who may be in peril. We have heard a good many different figures. The 130,000 figure now being heard was first a million and a half, then it was a million, then 174,000—all kinds of estimates have been stated.

Where do we draw the line? Do we simply bring out all who worked for or with the Americans? Do we remove all who had a connection with the South Vietnamese Government? Do we evacuate only high officers of their armed forces? Or do we seek to provide asylum for all who fought against the Communists?

If large numbers are endangered, then other countries as well as our own should open their gates to them, especially those countries that have cultural similarities to Vietnam. The U.S. State Department—to say nothing of the United Nations—ought to be moving in that direction.

The ACTING PRESIDENT pro tempore. Is there further morning business?

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

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

The second 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 THE SENATE TO STAND IN RECESS EACH DAY FROM TODAY TILL THURSDAY, MAY 1, 1975

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business each day from today through Thursday, it stand in recess until the following day.

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

#### ORDER FOR RECOGNITION OF SENATOR JAVITS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after Mr. TAFT is recognized tomorrow under the order previously entered, Mr. JAVITS be recognized for not to exceed 15 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. CLARK. 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.

#### THE EVACUATION IS TOO SLOW

Mr. CLARK. Mr. President, I would like to spend just a few moments talking about the evacuation reports from South Vietnam, the number of Americans who remain there, the rate of evacuation, and the possible reasons for so many Americans remaining there.

In spite of the increasingly dangerous situation, the number of Americans being brought out has slowed to something less than a trickle. The net reduction, for the 24-hour period ending midnight Saturday is 65 American citizens. In the meantime, more than 6,600 South Vietnamese were evacuated in the same period. The preceding 24-hour period was not much better—a net reduction of just 76 American citizens. So in the last 48 hours the number of Americans remaining in South Vietnam was reduced by 141.

We actually have evacuated somewhat more than that, but the Embassy has become aware of additional American citizens in the country, so that the net reduction is only 141.

At this rate, it will take us 2 weeks to complete the evaluation of American citizens.

Over 950 Americans are still there, and this does not include Vietnamese dependents of American citizens. For reasons that are not clear, the State Department has not released the figures on dependents for 4 days; but the last report indicated that there were several hundred alien dependents of American citizens still in Vietnam.

The military situation in South Vietnam has changed a great deal in the last few hours. Tan Son Nhut Airport apparently was attacked. However, it is still open, and it is still possible to continue evacuation efforts by fixed-wing aircraft out of Tan Son Nhut. If the airport is closed, evacuation will have to be by helicopter, more dangerous and more difficult. And we know that the more Americans and dependents remaining, the greater the risk will be.

Why, then, is the administration leaving such a large number of Americans in South Vietnam? There has been no explanation. No one contends that it takes more than 500 to run the mission there. Yet we have twice that many there right now.

I do not have the answers, but I would raise some questions.

Are Americans being left in Saigon to provide an excuse for evacuating South Vietnamese?

Are we leaving Americans there as a kind of "bargaining chip" with North Vietnam?

What are the reasons?

Again, I do not know the answers. But it seems to me that in these final hours—when we know that at any moment the government and the army could collapse, when we know that at any moment the one remaining outlet for mass evacuation, Tan Son Nhut Airport, could be shut off—we ought to be putting some Americans on the planes with the South Vietnamese. We ought to be able to get

out more than 141 citizens in 48 hours. That is just not adequate.

I share the view that we ought to bring out as many South Vietnamese as possible, I do not think we ought to keep Americans there at the same time. If this legislation (S. 1484) we passed Friday afternoon is approved by the House of Representatives today or tomorrow, the President will have the authority to go in with U.S. military forces to bring out South Vietnamese along with American citizens. One cannot help but speculate whether Americans are being left there for the purpose of bringing out more South Vietnamese.

So, Mr. President, I hope that the Members of the Senate and the Members of the House of Representatives will watch the evacuation figures very closely in the next 24 hours, and that we will continue to demand that the nonessential Americans still in South Vietnam be brought home as soon as possible.

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 THE TRANSACTION OF ROUTINE MORNING BUSINESS AND CONSIDERATION OF SENATE CONCURRENT RESOLUTION 32 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the orders for the recognition of Senators for 15-minute speeches have been consummated, there be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements limited therein to 5 minutes each and, at the conclusion of routine morning business, the Senate proceed to the consideration of Senate Concurrent Resolution 32.

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

#### MESSAGES FROM THE PRESIDENT

Messages 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. LEAHY) 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.)

#### APPROVAL OF BILL

A message from the President of the United States received today stated that the President had approved and signed the enrolled bill (S. 994) to authorize supplemental appropriations to the Nuclear Regulatory Commission for fiscal year 1975.

#### MESSAGE FROM THE HOUSE

At 1:30 p.m., a message from the House of Representatives delivered by Mr. Hackney, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 4481) making emergency employment appropriations for the fiscal year ending June 30, 1975, and for other purposes; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. MAHON, Mr. WHITTEN, Mr. SIKES, Mr. PASSMAN, Mr. EVINS of Tennessee, Mr. BOLAND, Mr. FLOOD, Mr. STEED, Mr. SLACK, Mr. MCFALL, Mr. YATES, Mr. CEDERBERG, Mr. MICHEL, Mr. CONTE, Mr. MYERS of Indiana, and Mr. MILLER of Ohio were appointed managers of the conference on the part of the House.

#### COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

#### PROPOSED SUPPLEMENTAL APPROPRIATIONS FOR THE COMMISSION ON FEDERAL PAPERWORK

A communication from the President of the United States transmitting proposed supplemental appropriations for the fiscal year 1975 in the amount of \$100,000 for the Commission on Federal Paperwork (with accompanying papers); to the Committee on Appropriations.

#### PROPOSED SUPPLEMENTAL APPROPRIATION FOR THE VETERANS' ADMINISTRATION

A communication from the President of the United States transmitting a proposed supplemental appropriation for the fiscal year 1975 in amounts totaling \$535 million for the Veterans' Administration (with accompanying papers); to the Committee on Appropriations.

#### ORDER FOR STAR PRINT OF COMMITTEE REPORT (REPT. NO. 94-66)

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a star print be ordered of the Government Operations Committee report on S. 200, dated April 9, 1974. This is in order to include two rollcall votes on amendments considered by the committee during its consideration of the Consumer Protection Act, as required by section 133 of the Legislative Reorganization Act of 1946, as amended. These two rollcall votes were inadvertently omitted from the report on S. 200. This is the only change that will be made in the committee report.

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

#### 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. MAGNUSON:

S. 1543. A bill to amend the third proviso of section 27 of the Merchant Marine Act, 1920, as amended. Referred to the Committee on Commerce.

By Mr. MAGNUSON (for himself and Mr. PEARSON) (by request):

S. 1544. A bill to amend the act of August 16, 1971, as amended, which established the National Advisory Committee on Oceans and Atmosphere, to increase and extend the appropriation authorization thereunder. Referred to the Committee on Commerce.

By Mr. BUMPERS:

S. 1545. A bill to amend the Agricultural Adjustment Act of 1938 with respect to peanuts. Referred to the Committee on Agriculture and Forestry.

By Mr. JACKSON:

S. 1546. A bill to amend title 10, United States Code, to prevent discrimination against the Armed Forces of the United States in the supply of petroleum products, and for other purposes. Referred to the Committee on the Judiciary.

#### STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MAGNUSON:

S. 1543. A bill to amend the third proviso of section 27 of the Merchant Marine Act, 1920, as amended. Referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, I introduce today a bill to assure compliance with the Jones Act in the Alaska trade, and to prevent the increasingly serious diversion of cargoes from United States ports and U.S.-flag carriers operating in the trade. The third proviso of the Jones Act was part of the language of the act as originally passed. The proviso specifically excluded Alaska.

In 1958, the Congress passed the Alaska statehood bill. This bill amended the third proviso to include Alaska. The Congress made clear that the purpose of the amendment was to extend to Alaska the provisions of the Jones Act. The Congress has reaffirmed its intent in this regard by denying requests for amendments to the act to allow foreign-flag vessels to operate in the Alaska trade.

Despite the clear intent of the Congress that the Jones Act apply to Alaska, the third proviso of the act is being used to shift cargoes from U.S. ports to Canadian ports and to foreign-flag vessels for transportation to Alaska. A substantial increase in the number of these services and thus of the amount of cargo shifted is expected. The Canadian National Railway advertises service aboard its trains to Canadian ports and thence to Alaska. The railway is planning to increase this service with new vessels, and new routes through Canada.

The ports of Washington State, including particularly Seattle and Tacoma, are the major ports of loading and discharge for cargoes to and from Alaska. Moving Alaska cargo through Canadian ports



has had a serious impact on Washington State ports, and on other U.S. ports, and on the U.S.-flag carriers serving those ports. But I believe, Mr. President, that the greater danger to U.S. ports comes from the threatened proliferation of foreign-flag transportation in conjunction with Canadian rail movements. The additional foreign services will displace substantial U.S.-flag tonnage presently moving in the trade, and will shift to Canadian ports, and away from U.S. ports, up to 100,000 tons of cargo a year. These shortages will have a severe impact on U.S. ports. Further, the growth of Canadian movements will likely cause curtailment of water services at U.S. ports.

The legislation I propose, Mr. President, will not have any impact on existing services. This is not to say that I do not have serious reservations about the propriety of some of these services under the existing provisions of the Jones Act. I do have serious reservations. The Congress did not, and did not intend to, exempt Alaska from the Jones Act by the amendment in the Alaska statehood bill. Some people have improperly construed the 1958 amendment as an exemption from the act. My bill reaffirms the purpose of Congress to apply the Jones Act to trade between Alaska and other States.

However, I do not believe, Mr. President, that companies presently operating in this trade should be forced out of business. The greater danger to U.S. ports, such as Seattle, and to U.S.-flag carriers—and therefore my greater concern—is with the proliferation of new foreign vessels and foreign rail services which make a mockery of the provisions of the Jones Act in the Alaska trade. This danger is immediate and is substantial. The impact upon U.S. ports and U.S.-flag carriers will be severe.

I ask unanimous consent that the bill as introduced be printed in the RECORD.

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

S. 1543

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third proviso of section 27 of the Merchant Marine Act, 1920 (46 U.S.C. 883), as amended, be amended by deleting the semicolon after the word "facilities", and adding the following words: "With regard to Alaska, the exception of this proviso shall apply only to those services offered as of January 1, 1975:".*

By Mr. MAGNUSON (for himself and Mr. PEARSON) (by request):

S. 1544. A bill to amend the act of August 16, 1971, as amended which established the National Advisory Committee on Oceans and Atmosphere, to increase and extend the appropriation authorization thereunder. Referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, I introduce by request, for appropriate reference, a bill to amend the act of August 16, 1971, as amended, which established the National Advisory Committee on

Oceans and Atmosphere, to increase and extend the appropriation authorization thereunder, and ask unanimous consent that the letter of transmittal and statement of purpose and need be printed in the RECORD with the text of the bill.

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

S. 1544

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of August 16, 1971, as amended (Public Law 92-125, 85 Stat. 344; Public Law 92-567, 86 Stat. 1181), is amended to read as follows: "There are hereby authorized to be appropriated to the Secretary of Commerce, for the fiscal year ending June 30, 1973, and for each of the two fiscal years immediately thereafter, such sums, not to exceed \$400,000; and for each of the fiscal years 1976, 1977, and 1978, such sums, not to exceed \$445,000, as may be necessary for expenses incident to the administration of this Act, and for succeeding fiscal years only such sums as may be authorized by law."*

THE SECRETARY OF COMMERCE,  
Washington, D.C., March 19, 1975,

Hon. NELSON A. ROCKEFELLER,  
President of the Senate,  
U.S. Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are six copies of a draft bill "to amend the Act of August 16, 1971, as amended, which established the National Advisory Committee on Oceans and Atmosphere, to increase and extend the appropriation authorization thereunder," together with a statement of purpose and need in support thereof.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our draft bill to the Congress, and further that enactment would be in accord with the program of the President.

Sincerely,

FREDERICK B. DENT,  
Secretary of Commerce.

#### STATEMENT OF PURPOSE AND NEED

The National Advisory Committee on Oceans and Atmosphere (NACOA) was established by Public Law 92-125, approved August 16, 1971. NACOA consists of 25 non-Federal members appointed by the President from State and local governments, industry, science and other appropriate sources having an interest and expertise in oceanic and atmospheric affairs. NACOA has the mandate to (1) to perform a continuing review of the progress of the Nation's marine and atmospheric science and service programs and to report to the President and the Congress, annually, its findings and recommendations on marine and atmospheric affairs, and (2) to advise the Secretary of Commerce specifically with respect to the carrying out of the purposes of the National Oceanic and Atmospheric Administration.

Public Law 92-125 assigned NACOA's support functions to the Secretary of Commerce. It was amended in October 1972, by Public Law 92-567, to raise the level of authorization to \$400,000 per year for the three fiscal years 1973-75, and in the following fiscal years, such funds as the Congress authorizes.

In fulfilling its mandate, NACOA has assumed a highly active mode of operation, meeting 9-10 times a year in full session, and with ad hoc panels meeting, as the occasion demands, to develop special material for full NACOA consideration. Support of this level of activity, which in part accounts

for NACOA's value, requires a core staff of six professionals and four non-professionals. This was the basis for the authorization level provided for in 1972. The new authorization request merely extends this for three years, recognizes that earlier full-time assistance by other agency personnel has now been phased out, and provides small increases in succeeding years in anticipation of costs beyond NACOA's control.

This level of NACOA activity derives from NACOA's unique nature and responsibility. P.L. 92-125 examined in the perspective of its legislative history emphasizes NACOA's role of applying non-Federal expertise toward the development of a truly national effort viewed as a "partnership between government, industry, and the academic community." NACOA collectively possesses the requisite industrial, academic, and lower-level government expertise for this purpose, but individually as non-Federal employees, each carries a special burden in becoming thoroughly familiar with the vast range of Federal and other programs, plans, and policies over the broad spectrum they are expected to assess. No reasonable staff level nor degree of cooperation from Federal agency observers and other representatives can substitute for a high level of activity on the part of the NACOA members themselves. The need for full-time professional staff stems from experience of what it takes to make this level of NACOA involvement efficient and productive. It is judged probable that attempting to provide a significant portion of the staff requirement by people on loan would either be less effective or require larger numbers, or both.

Enactment of this legislation would result in authorizations of \$445,000 for each of the fiscal years 1976, 1977, and 1978.

By Mr. JACKSON:

S. 1546. A bill to amend title 10, United States Code, to prevent discrimination against the Armed Forces of the United States in the supply of petroleum products, and for other purposes. Referred to the Committee on the Judiciary.

Mr. JACKSON. Mr. President, for well over a year the permanent Subcommittee on Investigations has studied the relationship between the military and the major oil companies. Put simply, I would characterize it as a one-way relationship with the oil companies reaping the benefits and the military suffering the consequences.

Let me provide some illustrations.

Last week the subcommittee issued a study indicating that military buyers had overpaid for jet fuel by hundreds of millions of dollars. Military purchasers had failed to obtain the necessary backup data to support prices asked for by the oil companies. They accepted, in many instances, first offers without any attempt at negotiation.

But the oil companies must share the blame. They refused to supply backup data when asked and balked at entering into contracts requiring consistent cost accounting principles.

I have asked the Department of Justice to examine whether any overcharges can be recouped for the taxpayers. I have also asked the Federal Energy Administration to determine the basis for the overcharges.

Finally, I have requested the General Accounting Office to completely review

military procurement practices and procedures.

Mr. President, I ask unanimous consent that these letters be printed in the RECORD at the conclusion of my statement.

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

(See exhibit 1.)

Mr. JACKSON. Mr. President, the findings and recommendations of the subcommittee staff reflect insight into defects of military purchasing procedures.

Mr. President, I ask unanimous consent that the findings and recommendations of the staff study entitled "Procurement of Petroleum Products by the Military" be printed in the RECORD at the conclusion of my statement.

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

(See exhibit 2.)

Mr. JACKSON. Mr. President, this staff study resulted from an ongoing investigation into the relationship between the major oil companies and the military.

In late December of 1974 this subcommittee learned that the military had reached an impasse with the major oil companies in contracting for its petroleum supplies for the following year, just days away. The oil companies refused to supply data to back up their prices and would not enter into contracts containing these clauses, and clauses requiring conformance to certain cost accounting standards. The military felt that it could not legally accept petroleum supplies without a contract even if offered by the oil companies.

Thus the uninterrupted flow of oil to the military and especially to strategic overseas bases was threatened.

The subcommittee took an active role in trying to break this impasse and work out an accommodation between the parties. After I wrote the oil companies and urged them to meet their national responsibilities and enter into these critical contracts, a contract to continue to supply the Navy's Operation Deepfreeze in Antarctica with appropriate clauses requiring backup data and compliance with cost accounting standards was agreed upon.

But it was not before the major oil companies had implicitly threatened to cut off supplies to the military.

And this was not the first time that the Armed Forces of the United States have faced a cutoff of oil and petroleum products for overseas operations with U.S. multinational oil corporations playing a prominent role.

Last April the permanent Subcommittee on Investigations held hearings on the cutoff of oil to our military forces in the aftermath of the 1973 Arab-Israeli war. The subcommittee's investigation probed a crucial question: the role of U.S. corporations in implementing a cutoff directed by foreign nations of vitally needed oil supplies to our military forces abroad at a time when our 6th fleet was still on alert.

It is imperative that the Armed Forces

of the United States never again be threatened with the cutoff of critical oil supplies. This is especially true where the suppliers are U.S. corporations which operate under the protection of the American flag. Legislation must spell out the duties and obligations of those responsible for providing defense needs.

Accordingly, today I introduce a bill which provides criminal sanctions for any individual or corporation who willfully discriminates in supplying petroleum products for the U.S. Armed Forces either within or outside the United States. This legislation covers not only a failure to perform contracts for the supplying of petroleum products as was the case in the aftermath of the 1973 Arab-Israeli war, but also a refusal or failure promptly to enter into such contracts at appropriate prices in accordance with governing laws and regulations. This will take care of the situation where companies refuse to contract because they do not want to disclose data.

This bill provides that whenever the Secretary of Defense has reason to believe that there has been such discrimination against the Armed Forces of the United States by any citizen or corporation organized or operating within the United States or controlled by them with respect to contracts involving the furnishing of petroleum supplies, he shall immediately institute an investigation. If the Secretary of Defense determines that there has been discrimination he shall refer the matter to the Attorney General of the United States who is authorized to institute appropriate proceedings, including the enjoining of such discrimination. The amendment also provides that the Attorney General may file with the clerk of the district court a certificate of the Secretary of Defense stating that, in the Secretary's opinion, the proceeding is of critical importance to the effective operation of the Armed Forces of the United States and that immediate relief from the discrimination is necessary. Upon receipt of such a certificate, a panel of three judges shall be convened to immediately hear and make a determination in such proceedings. Convictions for such discrimination will carry penalties of a fine of \$100,000 or imprisonment for not more than 2 years, or both.

Other amendments to title 10 would cover jurisdiction, the right to inspect records, and other procedural matters.

Mr. President, I ask unanimous consent that the amendments I propose to title 10, United States Code, be printed in the RECORD.

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

#### S. 1546

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that Title 10 of the United States Code is amended as follows:*

(1) Chapter 141 is amended by adding the following sections after section 2389.

§ 2390. Findings and declaration of purpose.

The armed forces of the United States operate world-wide in maintaining interna-

tional peace and in protecting the interests of the United States. It is essential to the effective operation of the armed forces that they receive adequate supplies of petroleum products. Citizens of the United States and corporations organized or operating within the United States enjoy the benefits of the United States flag and the protection of the armed forces and owe allegiance to the United States. It is the purpose of sections 2391 thru 2396 of this chapter to provide a remedy against discrimination by citizens of the United States or corporations organized or operating within the United States, and by organizations controlled by them, against the Department of Defense in the supply of petroleum products.

§ 2391. Investigation of discrimination by the Secretary of Defense.

(a) No citizen of the United States or corporation organized or operating within the United States, or an organization controlled by United States citizens or corporations organized or operating within the United States, shall engage in discrimination in the supply, either within or outside the United States of petroleum products for the armed forces of the United States.

(b) The Secretary of Defense, whenever he has reason to believe that there has been such discrimination shall immediately institute an investigation.

(c) If, following such investigation, the Secretary of Defense determines that there has been such discrimination, he shall refer the matter to the Attorney General of the United States.

§ 2392. Jurisdiction of the United States courts.

(a) The several district courts of the United States are invested with jurisdiction to prevent and restrain such discrimination; and it shall be the duty of the several United States attorneys, in their respective districts, under the direction of the Attorney General, to institute proceedings to prevent and restrain such discrimination. Such proceedings may be by way of petitions setting forth the case and requesting that such discrimination shall be enjoined or otherwise prohibited. When the parties complained of shall have been notified of such petitions the court shall proceed, as soon as possible, to the hearing and determination of the case; and pending such petition and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

(b) Whenever it shall appear to the court before which any proceeding under subsection (a) of this section may be pending, that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned, whether they reside in the district in which the court is held or not; and subpoenas to that end may be served in any district by the marshal thereof.

(c) Any proceeding against a corporation may be brought not only in the judicial district whereof it is incorporated, but also in any district wherein it may be found or transacts business; and all process in such cases may be served in the district of which it is incorporated, or wherever it may be found.

(d) In any proceeding brought in any district court of the United States pursuant to this section, the Attorney General may file with the clerk of such court a certificate of the Secretary of Defense that, in his opinion, the proceeding is of critical importance to the effective operations of the armed forces of the United States and that immediate relief from the discrimination is necessary, a copy of which shall be immediately fur-



nished by such clerk to the chief judge of the circuit (or, in his absence, the presiding circuit judge) in which the proceeding is pending. Upon receipt of the copy of such certificate, it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge, to hear and determine such proceeding, and it shall be the duty of the judges so designated to assign the proceeding for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the proceeding to be in every way expedited.

(e) In every proceeding brought in any district court of the United States under this section, an appeal from the final order of the district court will be only to the Supreme Court.

**§ 2393. Inspection of records and furnishing of information.**

For the purpose of the investigation instituted by the Secretary of Defense pursuant to section 2391, he, or his designee, shall at all reasonable times, have access to and the right to copy any book, account, record, paper, or correspondence relating to the business affairs of the person or corporation being investigated. Such person or corporation, upon demand of the Secretary of Defense, or his designee, shall furnish such information as the Secretary of Defense may require as to his or its business, organization, conduct, practices, management, and relation to other individuals, corporations, partnerships, associations and other entities.

**§ 2394. Definitions.**

As used in Sections 2390-2393 of this chapter:

(a) The term "United States" when used in a geographical sense includes the several States, the possessions of the United States, the Canal Zone, and the District of Columbia.

(b) The term "discrimination" means the refusal or failure promptly to enter into or perform contracts for the supply of petroleum products, at appropriate prices, in accordance with the laws and regulations of the United States governing the entering into and performance of such contracts when requested by the Secretary or his designee.

**§ 2395. Penalties.**

Any person or corporation who willfully discriminates as prohibited by Section 2391 shall, upon conviction, be fined not more than \$100,000 or imprisoned for not more than two years, or both.

**§ 2396. Separability.**

If any provision of sections 2390 thru 2396 or the applicability thereof is held invalid, the remainder of those sections shall not be affected thereby.

(2) The analysis of chapter 141 is amended by adding the following items after the item for section 2389:

- § 2390. Finding and declaration of purpose.
- § 2391. Investigation of discrimination by the Secretary of Defense.
- § 2392. Jurisdiction of United States courts.
- § 2393. Inspection of records and furnishing of information.
- § 2394. Definition.
- § 2395. Penalties.
- § 2396. Separability.

**EXHIBIT 1**

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,  
Washington, D.C., April 24, 1975.

The Honorable ELMER B. STAATS,  
Comptroller General of the United States.

MY DEAR COMPTROLLER GENERAL: On Jan-

uary 22, 1975, I requested the General Accounting Office to examine data available to the Defense Supply Agency for the purpose of determining the appropriateness of exemptions to oil companies from supplying pricing data under the Truth in Negotiations Act, and the requirements of the Cost Accounting Standards Board. This request stemmed from inquiries being made by the Subcommittee on the the procurement of petroleum products by the Defense Fuel Supply Center.

These inquiries have now raised questions as to the effectiveness of the procurement practices being followed by the Fuel Center. In this regard I enclose a copy of the Subcommittee staff study on military oil purchases. In light of staff findings, I want to expand my previous request and ask that the General Accounting Office make a review of the procurement practices being followed by the Defense Fuel Supply Center including, but not limited to, the following:

1. Are the quantities which the Fuel Center purchases based upon realistic requirements?

2. Would it be more economical for the Fuel Center to procure petroleum products for periods of one year or longer rather than for six-months periods as at present?

3. Is it true that it is impossible for the military to estimate its requirements for petroleum products for more than six months in advance?

4. Are the procurement personnel of the Center adequately trained and experienced in the negotiation of supplies contracts?

5. Is there a sufficient number of personnel available to analyze cost, pricing and market data and is an analysis of such material being used effectively in the negotiation of supplies contracts?

6. Do the contract files contain adequate documentation as to the negotiations on which contract awards are based?

7. Do the contract files contain adequate documentation to substantiate that the prices accepted are fair and reasonable and in the best interests of the Government?

8. Is the Fuel Center continuing to use trade publications data as a major item in the substantiation of prices paid?

9. Are contracts being executed where the contract price escalates directly with prices quoted in trade publications?

Of course your opinion on any other procurement practices would be greatly appreciated.

If you have any questions on this matter, please contact Subcommittee Chief Counsel Howard J. Feldman.

Sincerely yours,

HENRY M. JACKSON,  
Chairman.

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,  
Washington, D.C., April 24, 1975.

HON. FRANK G. ZARB,  
Administrator, Federal Energy Administration, New Post Office Building, Washington, D.C.

DEAR MR. ZARB: The staff of the Senate Permanent Subcommittee on Investigations has been making inquiries into the procurement of petroleum products by the Defense Fuel Supply Center of the Department of Defense with particular emphasis on the procurement of jet fuel for military aircraft. The staff findings are contained in the enclosed study.

The study discloses that the military has been paying substantially higher prices for jet aircraft fuel than the domestic airlines since October 1973, although the military was paying substantially lower prices than the airlines before that date.

It was further found that during 1974 and the early months of 1975, there was some concern in the Defense Department that the major oil companies who supply jet fuel both to the military and to domestic airlines might be loading a disproportionate amount of "pass through" charges on to the prices which they were charging the Government. This might explain, at least in part, why the Government prices were so much higher.

Although some correspondence was exchanged between the Department of Defense and the Federal Energy Administration on this subject in 1974, nothing has been done to determine definitively whether the major oil companies are including more "pass through" charges in the Government's prices than in the prices of other customers for jet fuel. It is, of course, possible that this same situation exists for the other petroleum products which the Government purchases.

Accordingly, by this letter, I am requesting that an investigation be made by FEA to determine whether the major oil companies are loading more "pass through" charges on to the Government prices for jet fuel and other refined petroleum products as opposed to prices charged other customers for these products. I would also like to request that this investigation be expedited and that a report of your findings be sent to this Subcommittee by June 15, 1975.

If you have any questions on this matter, please contact Subcommittee Chief Counsel Howard J. Feldman.

Sincerely,

HENRY M. JACKSON,  
Chairman.

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,  
Washington, D.C., April 24, 1975.

HON. EDWARD H. LEVI,  
The Attorney General.

MY DEAR MR. ATTORNEY GENERAL: A recent staff study issued by this Subcommittee on the procurement of petroleum products by the military concludes that military buyers have overpaid for their oil purchases.

The question of petroleum product pricing is indeed a complex one and, accordingly, I have written to the Federal Energy Administration requesting that they undertake an examination to determine whether prices charged the military by the oil companies were legal under the law and implementing regulations. Specifically, I have asked FEA to determine whether or not the major oil companies have disproportionately passed through to military higher costs for crude oil and other charges. If such costs were passed on to government purchases but not in accordance with the law, or regulations interpreting the law, I believe that the United States Government should seek to recoup these excess charges. To fully pursue this matter, I would like the Department of Justice to cooperate with the Federal Energy Administration, using all available resources to recover the taxpayers' monies.

Should you have any questions on this matter, please contact Subcommittee Chief Counsel Howard J. Feldman, who will be pleased to render any assistance.

Sincerely,

HENRY M. JACKSON,  
Chairman.

**EXHIBIT 2**

**FINDINGS AND RECOMMENDATIONS**

The Department of Defense, through the Defense Fuel Supply Center of the Defense Supply Agency will purchase in fiscal year 1975 approximately \$3.5 billion in petroleum products to service United States military forces throughout the world.

There are two ways to procure these

products. One is by advertised competitive bids. The other is by negotiated contracts.

By its very nature, the advertised bid method would generate competition and hopefully enable the government to obtain products at the most favorable price. Accordingly, ordinarily little or no cost or other data supporting the price of the winner of the competitive bid would be necessary.

On the other hand, negotiated contracts are the result of a give and take process between the government's contracting officer and the potential contractor. As such the contracting officer must be able to obtain backup data for the contractor's price—generally called cost or pricing data—in order to satisfy himself of the reasonableness of the price charged. Such requirements for supporting data are codified in the so-called "Truth in Negotiations Act" and in the Armed Services Procurement Regulations. Waivers of such requirements are to be made only in exceptional cases.

As of January 1, 1973, all bulk purchases of petroleum products by the Defense Fuel Supply Center were made by advertised invitations for bid and by public awards. However, in May of 1973, procurement moved to a negotiated basis. After the Arab embargo of October 1973 and the passage of the Emergency Petroleum Allocation Act in January 1974 these negotiated contracts were mandated.

Despite having procured products on a negotiated basis since May of 1973, DFSC did not request cost or pricing data from the oil companies until September, 1974. The oil companies refused to supply the data and an impasse resulted in December.

With the year drawing to a close and contracts running out, the controversy between the Department of Defense and the oil companies had reached the point that there arose the possibility that some petroleum supplies to the military might be interrupted. At this point the Subcommittee took an active role in assuring uninterrupted supplies as well as seeking an accommodation between the Department of Defense and the oil companies.

In the course of its activities Subcommittee staff began to make an intensive review of the petroleum procurement policies of the military. The following are the staff's findings and recommendations:

#### FINDINGS

1. The Defense Fuel Supply Center, prior to 1973, had established a policy of buying petroleum products and particularly jet fuel for military aircraft on a short-term basis by advertised bids. This was done to obtain the lowest possible prices. This policy contained inherent risks if short supplies and rising prices were encountered. The DFSC failed to recognize in 1973 that a market change in this direction was imminent and DFSC failed to plan or provide for such a contingency.

2. DFSC purchasing personnel were accustomed to handling advertised bids and had little training and experience in direct negotiations with suppliers. They were unprepared to negotiate with suppliers and thus obtain the lowest possible price for the government. Review of DFSC contract files by the Defense Supply Agency, the General Accounting Office and by the Subcommittee staff all disclosed a failure of DFSC personnel to document their price negotiations with suppliers as well as a failure to show how they determined price reasonableness. These conditions had been noted by the Defense Supply Agency in audits conducted in 1974 and before, and they continued throughout 1974. A General Accounting Office survey also found that in all

contracts reviewed for the November-December period of 1973 the contracting officer had accepted the first price offered by the petroleum supplier with no apparent evidence of any real negotiations.

3. Audits by Defense Supply Agency had disclosed a long-standing deficiency in DFSC's operations in its failure to have available qualified personnel to perform analyses of cost and pricing data and market data for use in determining price reasonableness. This deficiency existed long before 1973 and continued into 1975.

4. Prior to the fall of 1974, DFSC had continually failed to require potential contractors to supply cost or pricing data under the Truth in Negotiations Act and the Armed Services Procurement Regulations and had consistently permitted contractors to avoid supplying such data by obtaining waivers for them even though the Act calls for such waivers only in "exceptional cases."

5. Prior to the fall of 1974, DFSC had erroneously determined fair and reasonable prices to a large extent from trade publications rather than requiring potential contractors to submit backup data as required by law. Audits of DFSC by the Defense Supply Agency had repeatedly criticized DFSC for their failure to get proper data directly from the supplier and for reliance on trade publications data. Trade publications data in many cases does not represent real transactions but only bid and asked prices. DFSC persisted in using trade publication data to justify prices in July 1974 even though it was specifically instructed by DSA earlier in 1974 that this procedure was not proper.

6. In 1974, the procurement of petroleum products by DFSC was governed by regulations and allocations of the Federal Energy Administration, but the personnel of DFSC failed to acquaint themselves with the regulations applicable to the purchases they were making.

7. DFSC did not attempt to obtain in 1974 specific information from either oil companies or from the domestic airlines as to quantities and prices of jet fuel sold by major oil companies to the airlines to compare with the prices the major oil companies were charging the Government. DFSC proceeded in July 1974 to award contracts based on trade publications without data from suppliers despite DSA's recommendations to the contrary.

8. The DFSC was aware as early as April 1974 that there was a possibility that the major oil companies might be loading a disproportionately heavy amount of "pass through" costs on to Government contracts. There was some communication between the Defense Department and FEA on this matter, but it was not properly resolved. Both FEA and the Defense Department have been negligent in not resolving this matter which was the key to how prices to the government were being calculated. It was not until March 1975, after the Subcommittee had expressed its interest, that FEA issued instructions to its field auditors to begin an investigation of how "pass through" costs were allocated to military jet fuel.

9. The DFSC failed in 1974 to press for and obtain data which the oil companies had supplied to FEA on crude oil costs. This data would have been useful to DFSC purchasing personnel in making a determination as to the reasonableness of prices offered by oil companies.

10. In the fall of 1974, when DFSC belatedly began to press for data from the oil companies which was required by law and was essential to determine the reasonable price of petroleum products, the oil companies refused to supply such data and placed the military in the position of either acceding to their demands or facing the threat of having

oil supplies interrupted, especially to strategic overseas locations.

11. By asking for a blanket waiver enabling all companies to be relieved of supplying cost or pricing data for all contracts for the last six months of 1974 because it was too late and the companies would not cooperate, DFSC was negligent in performing its responsibilities and ignored the statutory mandate to grant waivers only in "exceptional cases" since it had been aware of this requirement for some time and had failed to timely request the companies to comply with the provision.

12. The failure of DFSC to provide protection in advance of heavy price increases; the failure of DFSC to attempt to inform itself as to comparable prices of jet fuel purchases by airlines; the failure of both FEA and DFSC to press vigorously for a determination as to whether DFSC's prices contained an excessive amount of "pass through" charges; and the general failure to obtain supporting data to determine the reasonableness of prices charged the government has cost the government millions of dollars in its purchases of jet fuel.

13. Information furnished to the Subcommittee indicates that substantial reductions in prices of jet fuel were received by DFSC from the major oil companies in January 1974. No specific reasons for this reduction were advanced. The controversy over the submission of cost and pricing data and the continuing interest of the Subcommittee may have had some effect on the negotiations which resulted in these reductions. DFSC informed the Subcommittee that after the Subcommittee expressed its interest, previous offers made by suppliers were reduced by \$32 million.

#### RECOMMENDATIONS

The audits by DSA, GAO and by the Subcommittee staff disclosed the continuing existence of long-standing deficiencies in procurement practices such as failure to forecast and plan for significant market changes; failure to have qualified personnel trained in negotiation techniques and for cost, pricing and market data analysis; failure to properly document contract negotiations; and failure to obtain and report proper data to document the reasonableness of prices accepted which have cost the government millions of dollars. Therefore, it is recommended that:

1. GAO conduct a thorough examination into the procurement practices at the Defense Fuel Supply Center to determine what is being done to eliminate these long-standing deficiencies and improve procurement procedures.

2. The Federal Energy Administration make a full and complete investigation into whether the major oil companies were and are presently charging disproportionate amounts of "pass through" charges to government contracts.

#### ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 319

At the request of Mr. TALMADGE, the Senator from Arkansas (Mr. BUMPERS) was added as a cosponsor of S. 319, a bill to provide a natural gas priority for fertilizer and farm chemical producers.

S. 872

At the request of Mr. HATFIELD, the Senators from Michigan (Mr. PHILIP A. HART and Mr. GRIFFIN) were added as cosponsors of S. 872, a bill to amend title 39, United States Code, to provide that certain State conservation publica-



tions shall qualify for second-class mail rates.

S. 1219

At the request of Mr. INOUE, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 1219, the child care deduction legislation.

S. 1220

At the request of Mr. INOUE, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 1220, a bill to amend the Social Security Act.

S. 1502

At the request of Mr. RIBICOFF, the Senator from Minnesota (Mr. MONDALE) was added as a cosponsor of S. 1502, the unemployment loan extension bill.

#### SENATE JOINT RESOLUTION 65

At the request of Mr. INOUE, the Senator from Colorado (Mr. HASKELL), the Senator from South Carolina (Mr. HOLINGS), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Utah (Mr. MOSS) were added as cosponsors of Senate Joint Resolution 65, to authorize and request the President to call a White House Conference on Women in 1976.

#### SENATE CONCURRENT RESOLUTION 29

At the request of Mr. CURTIS, the Senator from Wisconsin (Mr. NELSON) was added as a cosponsor of Senate Concurrent Resolution 29, expressing the sense of Congress regarding the annexation of the Baltic nations.

#### AMENDMENT SUBMITTED FOR PRINTING

#### TRANSFER OF CERTAIN LANDS IN MONTANA—S. 252

##### AMENDMENT NO. 382

(Ordered to be printed and referred to the Committee on Interior and Insular Affairs.)

Mr. METCALF. Mr. President, in the past Senator MANSFIELD and I have jointly introduced a private bill to quiet title on some Montana land in the name of August Sobotka and Joseph J. Tomalino. This year my distinguished colleague, Senator MANSFIELD, introduced a bill for this purpose, but the description of the land is incorrect. I concur in urging prompt action on this legislation and submit an amendment to S. 252 to correct the description.

#### NOTICE OF HEARING

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Monday, May 5, 1975, at 10:00 a.m., in room 2228 Dirksen Senate Office Building, on the following nomination:

William H. Stafford, Jr., of Florida, to be U.S. district judge for the northern district of Florida, vice David L. Middlebrooks, Jr., resigned.

Any persons desiring to offer testimony in regard to this nomination, shall, not later than 24 hours prior to such hearing, file in writing with the committee a

request to be heard and a statement of their proposed testimony.

The subcommittee consists of the Senator from Arkansas (Mr. McCLELLAN); the Senator from Nebraska (Mr. HRUSKA) and myself as chairman.

#### NOTICE OF HEARING

Mr. CANNON. Mr. President, I wish to announce that the Committee on Rules and Administration will hold a hearing on Wednesday, April 30, 1975, commencing at 2 p.m., in room 301, Russell Senate Office Building, on Senate Resolutions 60 and 110, introduced by Senator MIKE GRAVEL, and others, and relating to additional personal staff for Members of the Senate to assist them with their committee responsibilities. Any Member wishing to testify should contact William M. Cochrane, staff director, on extension 4-0275.

#### NOTICE OF HEARING ON FUTURE DIRECTIONS IN SOCIAL SECURITY

Mr. CHURCH. Mr. President, I wish to announce that the Senate Committee on Aging will conduct a hearing on "Future Directions in Social Security" on May 1, at 9:30 a.m., in room 6226 of the Dirksen Senate Office Building.

The hearing will focus on the operations of the supplemental security income.

Senator KENNEDY, who is keenly interested in the effective administration of the SSI program, will preside.

#### ANNOUNCEMENT OF HEARING

Mr. ROTH. Mr. President, I wish to announce that the Subcommittee on Intergovernmental Relations of the Government Operations Committee will hold hearings in Wilmington, Del., on May 5. The hearings, third in a series on the State and local effects of proposals to reduce energy consumption and increase energy resources, will begin at 9:30 a.m. The subcommittee has scheduled a full agenda of witnesses including the Governor of Delaware and numerous other officials. The hearings will be especially timely and helpful to the Congress in soliciting views on the local effects of various national energy policy proposals.

#### NOTICE OF HEARINGS

Mr. JACKSON. Mr. President, I want to bring to the attention of the Senate and the public that the hearing scheduled on April 30 to consider the nomination of Stanley K. Hathaway to be Secretary of the Interior will begin at 9:30 a.m. instead of 10 a.m. as originally scheduled.

Also, in accordance with the rules of the Senate Interior and Insular Affairs Committee, I wish to advise my colleagues and the public that the following hearings have been scheduled before the committee for the next 2 weeks:

April 29: Full committee and national

fuels and energy policy study, 10 a.m., room 3110, hearing. Title III, re powerplant siting, of S. 984, Land Resource Planning Assistance Act, and S. 619, Energy Facilities Planning and Development Act.

April 29: House-Senate conference, 2 p.m., Room S221, Capitol, H.R. 25, surface mining legislation.

April 30: Full committee, 9:30 a.m., room 3110, hearing. Nomination of Stanley K. Hathaway to be Secretary of Interior.

May 1: Indian Affairs Subcommittee, 10 a.m., room 3110, hearing. Information hearing re Indian housing.

May 2: Environment and Land Resources Subcommittee, 10 a.m., room 3110, hearing. S. 984, Land Resources Planning Assistance Act, and S. 619, Energy facilities Planning and Development Act.

May 5: Energy Research and Water Resources Subcommittee, 10 a.m., room 3110, hearing. Information hearing on automotive research and development.

May 5: Senate Interior Committee and Public Works Committee, 10 a.m., room 4200, joint hearing. H.R. 3787 and H.R. 3130, re court decision relating to highway construction and environmental impact statement matter.

May 6: Minerals, Materials and Fuels Subcommittee, 10 a.m., room 3110, hearing. S. 391, to amend Federal Coal Leasing Act of 1920.

May 6: Full committee, 2 p.m., room 3110, hearing. Nomination of Philip C. White to be an Assistant Administrator of Energy Research and Development.

May 7 and 8: Minerals, Materials and Fuels Subcommittee, 10 a.m., room 3110, hearing. S. 391, to amend Federal Coal Leasing Act of 1920.

May 9: Indian Affairs Subcommittee, 9:30 a.m., room 3110, hearing. S. 1327, submarginal lands bill.

May 9: Environment and Land Resources, 10 a.m., room undetermined, hearing. S. 393, Montana Wilderness study area bill.

May 12: Parks and Recreation Subcommittee, 10 a.m., room 3110, hearing. S. 82, to repeal certain provisions of the act for the establishment of Assateague Island National Seashore; S. 98, to establish the Klondike Gold Rush Park; S. 150, to construct an Indian Art and Cultural Center; S. 313, to authorize exchange of lands at Guadalupe Mountains National Park; and S. 466, to establish Franklin D. Roosevelt National Historic Site.

#### ADDITIONAL STATEMENTS

##### HANDGUN REGULATIONS

Mr. BUCKLEY. Mr. President, the ever-rising crime rate in our urban areas has resulted in renewed demands that we pass strict legislation designed to control the availability of handguns. These demands are, of course, understandable because the connection between handguns and violence is graphic and direct.

I cannot, however, accept the argument that the solution is as simple as some would have us believe. I presented my own views on the subject in testimony submitted last week to the Subcommittee to Investigate Juvenile Delinquency. I ask unanimous consent that my testimony be printed in the RECORD.

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

TESTIMONY BY SENATOR JAMES L. BUCKLEY

Mr. Chairman, I appreciate the opportunity to express my views on the issue of gun control. I share the alarm of all Americans over the increasing rate of crime in our country. Each day news reports bring additional justification for the public's fear of walking the streets at night and, in some communities, of being alone at home during the day. Parents wonder if their children are safe playing in neighborhood parks and recreational centers. All too often, the answer is that they are not.

Congress is again faced with the responsibility of responding to the public's concern for personal protection and security. In doing so, however, the Congress should be careful not to restrict unduly the liberties of all Americans in halting the crimes committed by a small minority among us. Instead, the attention of the Congress, and specifically to this committee, should focus upon the innocent, the helpless, the aged and the weak. The time is long overdue for the legislators to react strongly as their constituents against those who, by endangering the well-being of individuals, endanger as well the very fabric of our free society.

The American people have been outraged by the way terrorist groups around the world have acted as if they are immune to governmental reprisals against their barbarism. But the same attitude of immunity prevails among street criminals in our own land. They know that, if they are apprehended for their crimes, there is a strong chance that a lenient court will treat them as the unfortunate victims of their environment, rather than as perpetrators of deliberate evil. In other words, we have minimized the risks involved in committing a crime. Like most New Yorkers, I believe that our emphasis must now be upon the punishment of criminal conduct, rather than the prohibition of the possession of firearms.

Some latter-day authorities on the Constitution claim that the Second Amendment to that neglected document refers only to the right of an organized militia, rather than private individuals, to bear arms. That is not my view, and I am glad to say it was not the view of those who framed that amendment. At the time of the adoption of the Bill of Rights, this country's statesmen were concerned with the need to protect citizens from government itself, and the passage of almost two centuries has not negated the validity of this concern. The fact that Article I, Section 8, clause 16 of the Constitution grants Congress the power to organize, arm, and discipline the militia clearly indicates a quite different intention for the Second Amendment. Moreover, several of the state constitutions, newly drafted during the period of the early Republic, specifically mentioned the right of the individual to own arms. If the framers of the Constitution truly wished to protect citizens from the potential tyranny of any strong, centralized government, they could not also have intended to disarm citizens, who would then have been helpless to resist the very kind of usurpations which the Founding Fathers hated and feared.

I hate to think of the present-day consequences of the disarmament of the American people. Gordon M. Johnson, Chief of Police in Minneapolis, in an article in the Manchester Union Leader, January 3, 1974, declared:

"Police forces were never designed to provide general personal security; that reliance has of necessity rested with the people. Who provides protection before the squad car arrives?"

In an interview with a Human Events reporter, published March 22, 1975, the former Chief of Police for Los Angeles, Edward M. Davis remarked:

"If we didn't have a pro gun lobby, we would be completely disarmed by now. Frankly, I'm not going to give up my guns until government can assure me that I will be protected from the blood thirsty killers turned loose by the courts. Any individual who wants my guns will have to come and get them the hard way."

I am sure that millions of Americans share the sentiments of former police chief Davis. Can our government provide for adequate protection of all its citizenry without taking on many of the characteristics of a police state? I think not. We will not control the criminal use of guns by disarming the law-abiding.

Mr. Chairman, this country will never achieve justice and domestic order until the penalty for criminal conduct becomes commensurate with the evil it has caused. I have long advocated mandatory penalties for any felon who commits a crime while in possession of a firearm. I am a co-sponsor of Senator Domenici's bill, S. 216, which would do just that. It mandates imprisonment of not less than 1 year and not more than 10 years for a first offense, and not less than 2 years nor more than 25 for a second offense with a gun. In addition, probation would not be permitted. It therefore provides the kind of assured penalty that will discourage criminals from carrying guns under circumstances when they may be tempted to use them. Moreover, the penalties here stated could not run concurrently with any other sentence. It is my firm belief that only legislation such as that which Senator Domenici has proposed can really come to grips with the criminal use of guns that has made America a nation of fearful victims.

Mr. Chairman, I would like to address myself specifically to proposals recently made by the Attorney General regarding the Federal regulation of handguns. While I share Mr. Levi's concern for the crime rate and for the apparent inability of Federal law enforcement efforts to reduce it significantly, I find his proposals to be faulty in their conception, erroneous in their assumptions, and unworkable in their application.

As I understand Mr. Levi's plan, it provides for virtually gun-free zones in various metropolitan areas of the country, depending upon their level of population, their crime rate, and the rate of increase in their crime rate. A certain formula, as yet to be worked out, would automatically trigger the provisions of the law, making them applicable to an area when its crime rate hit a certain level. Thereafter, the possession and sale of firearms and ammunition would be severely limited. In fact, they would be almost impossible to obtain.

The plan is shot through with loopholes. In the first place, it is at best misleading to think that the Attorney General's proposals would apply only to large cities. When suburbanities, and even the residents of rural counties on the far fringes of large cities, discover that the Census Bureau and the Office of Management and Budget have included their communities in the definition of "metropolitan areas," they will also find

themselves brought under Mr. Levi's proposals.

Moreover, although the plan professes to safeguard the interests of sportsmen and members of gun clubs—by allowing them the right to fire their weapons at properly licensed gun ranges—it also would require them to store their weapons at properly licensed arsenals. We can imagine the scenario. Law-abiding citizens, having registered their guns, must leave them at their gun club's vault, if that vault passes federal inspection and meets federal standards. Then, when criminals raid the vault and add those guns to their private stockpiles, the Department of Justice would presumably investigate the gun club to see if the theft was due to their negligence or oversight. This is not meant to be a humorous matter; it is all too likely to actually happen.

The fatal flaw in the Attorney General's plan, as the Washington Post pointed out in a recent editorial, is that it cannot prevent gun-running between those areas covered by the plan and those in which the possession of firearms would still be left to state jurisdiction. In short, the plan would not work, could not work, unless it were eventually extended to the entire country; and even then it is hard to believe that anything short of repeated house-to-house searches would flush out even a fraction of the millions of handguns now in private hands.

Let us face the facts, Mr. Chairman. Let no one be deluded on this point. The Attorney General's nicely crafted proposals not only would not deprive criminals of their guns, but before this decade is out, it would mean the end of legal private ownership of handguns in America, at least on the part of those law-abiding citizens whose right to bear arms should not be impaired.

In conclusion, Mr. Chairman, I repeat again what should not need repetition: the American people are frightened for their safety and security. Because our criminal justice system seems not to be protecting them, they are purchasing firearms for their own defense. Who can blame them? They are convinced, and rightly so, that their government is not taking adequate measures to bring criminals to justice. They have therefore realized that they must themselves guarantee their own safety. It is a lamentable state of affairs, but denying those facts will not change them.

#### THE NATO ALLIANCE

Mr. STENNIS. Mr. President, in the wake of recent unhappy events in Southeast Asia, there is an understandable tendency to review our worldwide situation and our overseas military commitments.

I refer particularly to the value of our NATO alliance. This has been the most important and the most successful treaty in our post-World War II history. Despite stresses and strains, it has proved to be a highly successful post-World War II policy both for us and our European allies. It has worked, and worked well, in deterring Communist expansionism in this key area of the world.

I want to say to my colleagues, and to the American people as well, that we should not let the adverse developments in Southeast Asia disturb and affect us to the point that our confidence in NATO is undermined. Even though a review of our commitments is always in order, we cannot draw back and try to go it alone.



The key point is that, in the face of the strength of Russian arms, the military alliance between the United States and Western Europe is just as necessary for our mutual security as it ever was. The fact is that militarily, we need our NATO allies and they need us. Bitterness over our role in South Vietnam and Cambodia is no justification for scuttling or jeopardizing the most successful alliance we formed at the end of World War II.

Some headway has been made in readjusting our military forces in Western Europe. Some U.S. expenditures have been saved. We have carried more than our part of the load at times and must insist that our allies there continue to increase their contribution. The Mutual Reduction of Armaments Conference shows more promise and I believe there is a real chance for sound accomplishments this time. All chances for achievements there would be lost if we make unilateral reductions, or wavered in any way.

Mr. President, the need for NATO was the prime reason why I felt that, on the Cyprus question, we should not tie the President's hands but should give him ample room to negotiate with Greece and Turkey, both members of NATO. If the differences between them cannot be worked out, then the southeastern flank of NATO could come apart at the seams and the whole NATO structure could be put in jeopardy.

I say again, Mr. President, that NATO has been an outstanding military and diplomatic success story for more than a quarter of a century despite some rough going along the way. Let us not let public disillusionment with respect to other events in which we were involved cause us to take any actions which will undermine or destroy it.

To the contrary all Members must keep it alert and vigorous.

#### WASHINGTON STRAIGHT TALK

Mr. CHURCH. Mr. President, it was recently my pleasure to be interviewed at length by correspondent Paul Duke on "Washington Straight Talk," a production of the National Public Affairs Center for Television. I ask unanimous consent that the transcript of that interview be printed in the RECORD.

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

#### WASHINGTON STRAIGHT TALK

ANNOUNCER. Senator Frank Church, Democrat of Idaho, a key member of the Senate Foreign Relations and Interior Committees, and Chairman of the Senate Select Committee on Intelligence activities. Tonight . . . on Washington Straight Talk . . . Senator Frank Church is interviewed by NPACT Correspondent, Paul Duke.

PAUL DUKE. Senator Church, with President Thieu stepping down in South Viet Nam, do you think this means peace is coming at last to South Viet Nam?

Senator FRANK CHURCH. It means the war is finished. The cause is lost. It probably means that with the final evacuation of the Americans, the Vietnamese will now take charge of their own affairs and that some

terms of surrender will be worked out and Saigon will be spared destruction.

DUKE. You mean that we will now have a negotiated settlement?

Senator CHURCH. Yes, you can call it that, but if this is straight talk, I'd call it surrender. However, the terms of the surrender might very well make some provision for the safe passage of those Vietnamese who feel endangered and who may wish to leave. That happened, you remember, after the French surrender following Dien Bien Phu—those that had sided with the French were given 90 days to leave North Viet Nam; now perhaps those South Vietnamese who sided with the United States could be given a safe passage.

I hope that happens because that's the only way that it's possible to accommodate the numbers that President Ford has talked about. He has spoken of as many as 175- or 200-thousand endangered Vietnamese who they wished to leave.

Obviously there's no way that we can extricate that number. We can't set up a rescue mission. All the talk about using the military forces for this purpose is clearly unrealistic. If they come out, they'll come out on the basis of an agreement that's reached with the North Vietnamese.

DUKE. You said the other day that you don't think any American troops should be used to help rescue the South Vietnamese who have worked with us for so long. Don't we have a moral obligation to exert every kind of means possible to help those people get out?

Senator CHURCH. Yes, but I want possible means, means possible, possible means. Why talk about the use of American troops to rescue 175-thousand people—that would mean establishing a perimeter, opening a new theater of war, thousands of more casualties, prisoners of war, all the rest.

It would mean a Dunkirk-like evacuation, and it would take a very large American army and a brand new war. Now no one is for that, not even President Ford, so let's not talk about that. Let's talk about possible means. And as I say, the possible means for bringing out these people is an agreement reached now with the victors, which would permit their withdrawal.

It did happen after the French withdrawal, and it's possible that now with Thieu's resignation, that such an arrangement can be worked out again.

DUKE. Well, are you suggesting that, given the circumstances as they now exist, with President Thieu gone, that this government should stop talking about additional military aid to try to save Saigon and should put all the emphases on trying to work out some arrangement with the Communists to prevent Saigon from being taken by military force, and to permit the evacuation of as many South Vietnamese as possible. Is that what you're really saying our policy should be from now on?

Senator CHURCH. Yes, that's what I'm saying—let's stop the old shell game, and everyone else knows, why don't we finally level with the American people and stop talking about stabilizing the military situation or another dose of military aid, three-quarters of a billion dollars, it's past time for such posture.

DUKE. Well now Senator, some Democrats are even going further and are suggesting that perhaps we should hold out a hand to the North Vietnamese, proposing to give economic aid to them to help to rebuild the entire country of Viet Nam. How do you feel about that?

Senator CHURCH. I just don't think that's realistic either. I wouldn't jump that far in the other direction. I'd rather doubt that the North Vietnamese want us around any more.

I really think they want us out of their country.

They've fought now for ten years to reunite the two halves of Viet Nam. Clearly they have had the support of the greater part of the Vietnamese people. They have been able to instill in them the kind of fighting spirit that in the end prevailed. This has been a long civil war, however differently we wished to describe it, or however differently we conceived it. It has, in fact, from the beginning been a civil war between the Vietnamese people, and it's has been won by the North. Not surprisingly, because after all Ho Chi Minh was the George Washington of Viet Nam. He was the architect of national independence, the leader of the struggle against the French, and his forces were more closely identified in the eyes of the Vietnamese people with this indigenous struggle for independence than the faction that we chose to support.

And so the cause has been lost, and the sooner that we recognize this and begin to draw the right lessons from Viet Nam, the better. I'm afraid that a lot of wrong lessons are being drawn. And we must not go through this terrible ordeal with all of the sacrifice that's been entailed, and then fail to learn the lessons.

DUKE. Well, learn the lessons or not, Vice President Rockefeller was suggesting last week that what has happened has the makings of a political issue. Are we now going to be in for a political bloodbath of re-criminations here at home?

Senator CHURCH. Oh, it's possible. I hope not. And I rather suspect that it won't happen, because I think that the American people have followed this war long enough and are sufficiently well aware of what has happened out there, not to be taken in by that kind of a divisive political bloodletting in this country.

There's a natural tendency of course, to always point the fingers. Politicians are good at that. President Thieu this morning when he resigned pointed the finger of blame at Henry Kissinger and said if hadn't have been for the peace deal that Nixon and Kissinger worked out, none of this would have happened.

Henry Kissinger is pointing the finger of blame at the Democratic Congress, saying that it's failure to grant the eleventh hour requests of the President is the cause.

The President himself doesn't know quite who to blame. He seems to be ambivalent. But actually, you know, we ought to avoid this. The country can't stand another period of recrimination over this war. The Ford administration is not to blame for the fall of South Viet Nam. The Congress is not to blame. The American people are not to blame. No time in history has one country done more for another than we've done for South Viet Nam during the past ten years.

DUKE. Well, who is to blame? Somebody must be to blame?

Senator CHURCH. What's to blame was the mistake in the policy. It's been a flaw from the beginning. The notion that the United States as a Western power could intervene successfully and control the politics of an Asian country—that's the basic mistake in this understanding of the historical tides that have dominated Asia since the end of the Second World War.

Asia is for the Asians. And just as the European countries have had to give up their effort to control Asian affairs, so the United States is going to have to give up its efforts. That's the chief lesson to be learned from Viet Nam. Asia is for the Asians, and it's no longer possible for us to control the politics of that part of the world.

DUKE. As you know Senator, we're now having something of a great debate building up

in this country about the course of our foreign policy in the future. What kind of foreign policy do you think we must now rebuild in the wake of the Viet Nam disaster?

Senator CHURCH. Well I think that we have to learn that there are very definite limits to what we can do in the world in having our way. And it's very healthy that we should learn this before we bankrupt ourselves completely in a series of Viet Nams.

There's no reason, for example, why the United States must maintain a military presence on the Asian mainland.

Duke. Now let me ask you on that point—when you refer to the Asian mainland, do you include Korea, do you include Taiwan, do you include Japan?

Senator CHURCH. No, I refer to the mainland itself. I have been arguing for the past twelve, fifteen years, nearly from the time when I first came to the Senate, that the American line of defense in the Pacific ought to be the Pacific itself, because our military strength consists primarily of naval and aerial strength. We can't match the Asians in foot soldiers.

And therefore, it would make sense to draw a line that is comparable to the kind of military strength we possess. Now the Pacific Ocean is the largest moat that God has placed on this earth. It's 8,000 miles wide. It certainly ought to be sufficient for purposes of American security.

But to insist that move beyond the Pacific, and actually establish military beachheads on the Asian mainland in places like Korea, in places like Thailand, and of course Southeast Asia, is not only enormously costly as we have discovered, but it is self-defeating.

And furthermore, there's no reason why the United States must possess these military beachheads in Asia. Asia is quite different from Europe. If we were entirely out, if we withdrew our remaining forces from the mainland of Asia, a natural equilibrium of power would develop between the Chinese, the Russians, the Indians, the Indonesians, the Japanese, that equilibrium of power can exist in Asia without the necessity of maintaining our military forces on the mainland.

Duke. Let me ask you more specifically, would you go as far as Senator Mansfield, the Democratic leader in the Senate, who says that we should withdraw our forces from Korea, from Taiwan, that we should, instead of being a three-ocean Navy, be a two-ocean Navy now, getting out of the Mediterranean almost in effect, and also substantially reduce our military force in Europe, which would be a rather sizable pull-back of American power.

Senator CHURCH. I would say we should start on the Asian mainland. I quite agree, as I've already indicated, that we should withdraw our forces from the mainland. That would include Korea, and it would include Thailand.

Secondly, I would not insist on trying to convert the Indian Ocean into an American lake. It never has been that, and doesn't have to become that.

With respect to the Mediterranean and Europe, I would go very cautiously because Europe is more closely connected with America's security and economic well-being than these other places we've discussed. I do think, however, that we should not remain wedded to the notion that a fixed number of troops must remain on station in Europe. We've been much too inflexible in that regard. However, a general pull-back from Europe and the Mediterranean I would not endorse.

Duke. Well, Senator, isn't all of this discussion and talk here at home bound to have repercussions abroad. For example, last week we had a West German leader who said he was not at all certain that if West Berlin

were attacked that America would come to its defense.

And Henry Kissinger, taking note of the fact that Congress has been increasingly aggressive in its assertion on foreign policy, said only last week as well, and I would like to quote what he said, he said, "Congress has taken actions which have paralyzed our policies in the Middle East, weakened our hand in dealing with Russia, and inhibited our dialog in this hemisphere."

Now are you at all concerned that Congress, feeling its foreign policy oats, may be going too far?

Senator CHURCH. Well, I think that Mr. Kissinger has gone too far in his indictment. It's extravagant, emotional, and it's not really accurate. What is he referring to?

Let's look at his various... let's break that down for a minute. Would you go over it...

Duke. Yes, he says that "Congress has paralyzed our policies in the Middle East" for one.

Senator CHURCH. Well now, he must have reference there to Cyprus since the Congress has interfered in no way with respect to his effort to negotiate between the Israelis and the Arabs.

If he has reference to Cyprus, he's talking about a Congressional ban against further military aid to Turkey. Now there was a good reason for that ban. Turkey violated its solemn pledges with the United States and used our weapons that we had supplied Turkey to invade Cyprus, another ally of the United States, the Greeks. And so Congress said we'll give no further arms until a peaceful settlement is achieved in Cyprus. That's not entirely unreasonable.

How does the Secretary want to achieve that peace? Well, if you listen to him and the President, you'll find they want to buy the peace; they want to pay the Turks on the one hand, and the Greeks on the other hand, to settle the Cyprus affair.

Now that may be policy by grand design, but it's known as a "pay-off" in less stately terms. And there's a strong suspicion in the Congress that the United States ought not to pay both these countries to settle the Cyprus dispute.

Now, the next indictment...

Duke. He said that "you've weakened the Administration's hand in dealing with Russia."

Senator CHURCH. Well, how have we weakened the Administration's hand there? We have put one restriction, that is to say, no more than 400 million dollars of American credit to help in the economic development of the Soviet Union without coming back to Congress and getting Congressional consent.

Now I don't think that's so unreasonable, particularly when you consider that they're thinking about underwriting the development of a seven billion dollar project to develop natural gas in the Soviet Union, under arrangements that would be very risky from the American point of view.

So here again, Congress, I think, has simply put a prudent restriction on the use of money in the Soviet Union and asks the Administration to come back and make a case if it wants more. I don't think that's unreasonable.

Duke. Do you think that Kissinger has outlived his usefulness?

Senator CHURCH. I think that Kissinger is a very skillful negotiator and a very able man. I think that we put too much emphasis, however, upon the man that holds the position and too little emphasis upon the policy.

Now it wouldn't make any difference at all if Kissinger were dismissed tomorrow if the man who replaced him was an adherent of and an advocate of the same policy. And remember, the last half dozen American pres-

idents have all been serviced by the same fraternity of foreign policy advisors. Now unless you get a man that's going to change the policy, it doesn't much matter whether Kissinger leaves or stays.

Duke. But do you think he should go? Do you think that at this point in time...

Senator CHURCH. ... Not if he's going to be replaced with another Kissinger. What difference does it make? You see, that's my whole point. We ought to be talking about changes in American foreign policy, and not about the people...

Duke. Well then if we change the...

Senator CHURCH. ... who hold the positions, as long as the policy remains the same.

Duke. But if we do change the foreign policy, then obviously you feel Kissinger must go.

Senator CHURCH. Yes.

Duke. He couldn't administer the new foreign policy.

Senator CHURCH. That is true, and I think the policy should change.

Duke. So you think Kissinger should go?

Senator CHURCH. If he's replaced by someone who will change the policy. You've got to look at both sides of this coin.

Duke. Senator, the other hat you're wearing these days is that of being Chairman of the Senate's new special investigation of the CIA. On the basis of what you now know, has there been a widespread pattern of abuse of authority by the CIA?

Senator CHURCH. There has been abuse, how widespread it's been we haven't yet had a chance to determine; we're just at the early stages of the investigation. But clearly, there have been violations of the law, not only respecting the CIA but the FBI as well.

We expect to look thoroughly into the whole intelligence community, and I'll have a better idea as to how widespread these transgressions have been by the time we finish our investigation.

Duke. But you don't know how widespread they are at this point?

Senator CHURCH. Not yet.

Duke. We've been told that the CIA planned and carried out political assassinations. Is that a legitimate activity of the CIA?

Senator CHURCH. First of all, we don't have evidence that such assassinations were carried out, and we don't know yet whether they were really planned in any formal way. We'll be looking into that question.

As to whether it's a legitimate activity, of course it's not a legitimate activity. No agency of the Federal Government can be licensed to commit murder. And it doesn't matter whether or not they act under the President's orders; the President of the United States is not a glorified godfather. And we can't permit murder to be an instrument of our national policy in times of peace.

Duke. We keep having recurring reports that the CIA in some fashion was involved in the assassination of John Kennedy in Dallas in 1963. Is this one of the things you're going to seriously look at?

Senator CHURCH. We'll look at it very seriously if we find any evidence that in any way substantiates that charge. I'd have to answer the question that way.

Duke. But at this point you just don't know how much you'll get into it then, unless you get evidence, is that what you're saying?

Senator CHURCH. Of course, that's what I'm saying. If we have no evidence to pursue, naturally we're not going to be able to develop that as a focal point of our investigation. We will go where the evidence leads.

Duke. Senator, we know by the CIA's own admission, that they have destroyed innumerable documents and papers which could



be very important to your investigation. How can you possibly get to the bottom of all the things the CIA has done, knowing that they have destroyed potentially important material?

Senator CHURCH. Well, we'll do the best we can. We have the right to interrogate CIA employees, both past and present, we'll go to such sources, basic sources of the information as we can find, we'll try to piece together what has happened as thoroughly as time permits, and do everything we can to find out what the truth may be of the charges that have been leveled against this agency.

DUKE. But it does mean, doesn't it, that you may not necessarily get to the truth about the CIA?

Senator CHURCH. It is possible. I can't guarantee it. I can only guarantee that we'll do the best job we can with the evidence that is available.

DUKE. As you know, there's another commission that was set up by President Ford, investigating the CIA, headed by Mr. Rockefeller. And some people, some critics have suggested that this group was set up primarily to protect the CIA and in the process it may suppress certain material which could be used by your investigators. Are they co-operating with you? Do you share that fear?

Senator CHURCH. Well, first of all I think that the Rockefeller Commission will have to be judged on its findings and its general performance, and I think that it's going to wrap up its investigation by the end of May. And then the public can reach its own judgment.

However, we will be seeing—when I say we, I mean Sen. Tower and I—we will be visiting with Vice President Rockefeller very soon, and we're going to ask him to supply all of the evidence and the testimony, the transcripts, everything that has been accumulated by his commission, so that we may have the benefit of all of that in connection with our own investigation.

DUKE. One of the members of your committee, Republican Senator Howard Baker, said the other day that you can't possibly do a thorough job unless Richard Nixon testifies. Are you going to call him as a witness?

Senator CHURCH. Well, the committee hasn't yet decided what the focal points of the investigation will be. It's such a large mandate that we're going to have to narrow down on certain focal points. If one of those relates to subject matter that would require President Nixon as a witness, I would have no hesitation in recommending to the committee that he be called.

DUKE. Senator, you said some time ago, that in a free society, intelligence activities must be carried out according to strict rules, very high standards. But isn't it unrealistic to expect that this can occur? Isn't spying really a dirty business by its very nature, which can't be carried out by gentlemanly rules?

Senator CHURCH. Well, let's be clear about what we're talking about. When the CIA was set up it was set up to spy on countries that might become enemies of the United States, that is to say its spying was to be done abroad, not at home. And it is a dirty game, and that's why special precautions were taken at the time to see to it that the dirty game was not turned by such an agency upon the American people, and that the CIA did not become another Gestapo or KGB. That is terribly important if we're going to keep a free society.

And one of our particular interests in this investigation is to look at the ways that the CIA might have disregarded this prohibition in the law and turned its spying inward on the American people.

After all, what is it set up for in the first place, save to protect a free society from its enemies abroad. And we must be very careful that such an agency does not become a secret police and become a menace to the very freedom it's supposed to be protecting.

DUKE. You headed the Senate Foreign Relations Subcommittee which investigated the oil situation a few months ago. The Democrats in Congress still seem to be floundering on developing some kind of oil policy. Your subcommittee recommended a 15% cut in oil consumption and turning to gas rationing if necessary. Do you still stand by that?

Senator CHURCH. Yes, I stand by it. I think that we have to reduce our imports of foreign oil, not only because of the expense that's involved, which is one of the reasons for our serious inflation that persists despite high unemployment, but also to reduce our dependence upon uncertain foreign sources. After the Arab embargo we've been forewarned of the need to become more independent in our fuel supplies.

So I do stand by that. I think that we should reduce our imports as we effect savings in this country as we shift from oil to other sources of fuel and as we manage to conserve gasoline. And I think that's the key—it's the automobile and the need to emphasize more efficient automobiles in the future.

But as we reduce our consumption, then I think we should translate that reduction into quotas that will reduce our importation of foreign oil.

DUKE. Senator, as a rising Democratic voice in Congress, are you going to run for President?

Senator CHURCH. I've put off any decision on that score until after this investigation that I head up is completed because I just can't mix any possible involvement in presidential politics with . . .

DUKE. Well, that sounds like you are planning to run.

Senator CHURCH. I don't know where this investigation will bring me out—it's been called a Kamikaze mission, it's been called a mine field, and until I'm through that mine field I've just set aside any thought of presidential politics.

DUKE. But you think you could get through the mine field to the White House?

Senator CHURCH. Well, the future will speak.

DUKE. Well, we'll talk to you in the future then. Thank you for coming here and talking with us tonight, Senator Church.

Senator CHURCH. Thank you. It's been my pleasure.

ANNOUNCER. Washington Straight Talk. From Washington NPACT has brought you Democratic Senator Frank Church of Idaho, with NPACT correspondent Paul Duke.

Production funding provided by Public Television stations, the Ford Foundation, and the Corporation for Public Broadcasting. This has been a production of NPACT, a division of GWETA.

#### ARMENIAN AMERICANS

Mr. BUCKLEY. Mr. President, many Americans of Armenian descent marked April 24 as a day of mourning for those who perished at the hands of the Turks during one of the most brutal periods of the history of that region. It is estimated that over 1½ million Armenians perished during the 25 years of persecution by the Turkish Government, and estimates of those who died during forcible deportations add possibly another million individuals to that grim figure.

On this date in New York City, a series

of assemblies were held to commemorate this tragic event. I believe that it is vital to recall this episode along with other experiences we have known in the 20th century, for this directs the attention of the world to a brutal example of man's inhumanity to his fellow man.

I wish at this time to extend to all of my Armenian-American constituents and to all other Armenian-Americans in the United States my thanks for keeping the memory of their past sufferings alive, and my prayers that, through their actions, such a persecution will never again be allowed to happen. We wish to be reminded of past tragedies so that we may remain determined to prevent others in the future. We owe the Armenian-American community a great debt for this reminder of our own blessings, and of the obligation we owe to others less fortunate than we during periods of great suffering.

I ask unanimous consent that there be printed in the RECORD an article from the New York Times which details some of the activities which took place in New York on April 24.

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

#### THE 1915 GENOCIDE IS STILL VIVID TO ARMENIANS HERE

(By Richard F. Shepard)

New York, a city of survivors, will be reminded today by its small but articulate Armenian community of one of the century's first and worst genocides, which wiped out half of its compatriots who lived in the Turkish part of Armenia 60 years ago.

Even now, there are few among the 50,000 Armenian-American New Yorkers who were not personally touched, through the experiences of grandparents or parents, by the Turkish massacres of 1915 that led to the desolation of eastern Anatolia and left Armenia as a small state, now a Soviet Republic, on the Russian side of the border.

The observance of the day of remembrance, which commemorates April 24, 1915, when the Turks rounded up and killed more than 200 Armenian leaders in Constantinople as the prelude to a general extermination, actually began yesterday. There was an interfaith conference, and a candlelight procession last evening wound its way from the golden-domed St. Vartan Cathedral at 34th Street and Second Avenue through midtown by way of the United Nations, to St. Patrick's Cathedral, where a service was held.

#### TWO GOALS

Today's events, sponsored by a number of organizations, have a common thrust: to recall to the world the brutalities of 60 years ago and to call for Turkish acknowledgment of the atrocities. Samuel Azadian, deputy commissioner of the city's Department of Highways and chairman of the procession yesterday, quoted a remark by Adolf Hitler during World War II, as he prepared his own programs of extermination: "Who talks nowadays of the extermination of the Armenians?"

"We are not doing this for revenge against the Turks or for bloodlust," said Mr. Azadian, whose mother and sister survived the massacres. "We have to say what happened because it might prevent other genocides."

The Diocese of the Armenian Church of America, with the co-sponsorship of the Greek Orthodox church, the United States Catholic Conference, the American Jewish Committee, the Islamic Center of Washington, the Council of Churches of Christ of the U.S.A., and the United States Conference

of the World Council of Churches, will continue its conference, "Religion's Role In a Violent World," at St. Vartan's meeting halls, with sessions at 9 A.M. and 2 P.M. The conference ends tomorrow.

The Prelacy of the Armenian Apostolic Church of America, will sponsor at 9 A.M. today a "Survivor's Pilgrimage" to the Statue of Liberty, of 60 people who escaped the killings of 1915. A silver chalice will be presented to the Museum of Immigration there.

At 6:30, the prelacy will offer a special program honoring Armenian-Americans at the Felt Forum in Madison Square Garden. Among the speakers will be Barbara Tuchman, the Pulitzer-prize winning author whose grandfather was Henry Morgenthau, United States Ambassador to Turkey in 1915 and a prime figure in calling attention to the Armenian plight.

At 1 p.m., local branches of three major Armenian political parties, united in one action for the first time in their long histories, will hold a mass demonstration to protest "Turkey's continuing violation of human rights" and Turkey's failure to make reparations or to admit to the annihilation. This will start at Madison Avenue and 26th Street and will move along to the United Nations, where a formal complaint will be presented to United Nations Secretary General Waldheim. In Dag Hammarskjöld Plaza, proclamations by Mayor Beame, and Governors Carey and Byrne, taking note of the occasion, will be read.

#### THE OPPOSITION

A Congressional resolution that would have designated today as a day of remembrance passed the House, but has not been voted upon by the Senate, where it was reported, the State Department, worried about negotiations with Turkey and Greece over Cyprus, strongly opposed to the measure.

At the New York Armenian Home for the Aged, 137-31 45th Avenue, in Flushing, Queens, a suggestion that elderly survivors dredge up what they recalled of their terror-stricken childhood reduced many to tears. An aide said that most did not even speak of it among themselves.

However, Nevart Prudian, a pleasant-looking 67-year-old woman who is a cook at the home, which has an appetizing Armenian menu, offered to tell her story because she felt it was important for the world to know.

"I was 6 or 7 years old in Erzerum, in eastern Turkey, when the soldiers came to the house in April, 1915, and pushed us out," she said, speaking through an interpreter. "We walked to a town where they separated the men from the women. They threw the men into the water and killed them. The Euphrates was red with blood."

#### MARCHED INTO DESERT

"I was with my mother and two younger sisters. The sisters died on the march. We tried to bury them, but the next day we saw the dogs at the grave," she said.

The Armenians were marched hundreds of miles into the Mesopotamian Desert. The Turks, Mrs. Prudian said, took the young women and raped and killed them as they went.

"People were dying of thirst and exposure on the way," she continued. "Pregnant women were killed with knives. We walked from that April until the next February, stopping here and there, but nobody did anything for us. You would see people fighting each other for a bit of garbage to eat, for an orange peel."

Unlike many companions on the march, Mrs. Prudian finally reached an American-run orphanage in Syria and in 1908 was married in Beirut.

"I often dream of those things," she said, adding, when asked what her experiences all meant for the rest of the world. "I want peace, brotherhood, love, a piece of land for Armenians where I can go."

The story repeated with infinite variations according to a particular experience, is told not only by survivors but also by their descendants. Yet few of those interviewed said they harbored a personal bitterness for the Turks.

Archbishop Torkom Manoogian, primate of the Armenian Church Diocese, said that there were several aspects to the observance.

"One is for the Armenians to commemorate events of the past to preserve their unity with history," he said. "One million or one and a half million Armenians were massacred in a premeditated genocide by the Turks. This generation followed the example of its ancestors by not denying their Christian faith when the Turks forced the Moslem religion upon them."

#### POSITION DETAILED

Archbishop Karekin Sarkissian, Prelate of the Armenian Apostolic Church in America, said, "We all feel this way about the Turks: You cannot suppress a whole nation. If they admit something wrong was done, then we can see about remedies. We can sit and talk. But, today we are faced with a situation they do not acknowledge. They not only do not accept the fact but they do not concede that they had anything to do with it."

This consciousness affects all levels of American Armenian life. Armenians in America number a half million, with concentration in California and pockets in Boston and Detroit, as well as in the New York area, where many have moved out of traditional Manhattan neighborhoods to such areas as Queens and Bergen county.

Many are well-educated, reasonably affluent and active in professions, the arts, business and public life a change from the days when first and second generations clustered in rug-dealing and photoengraving. They go to Armenian churches, either the traditional ones or Protestant and Roman Catholic, and their children go to Sunday schools and even Armenian day schools. Identity is a central issue among Armenian Reporter, a Queens English-language weekly, for copies of the New Yorker that carried the three installments of Michael Arlen's quest for his Armenian identity.

The library was swamped with requests for copies. The writer, son of the British author, described how he learned about himself and his heritage.

#### THIRD GENERATION IS MILITANT

"The third generation is more active than the second," said Edward K. Boghosian, editor of the Armenian Reporter. "There's been a revival stimulated by the civil rights movements—if you have black power, why not Armenian power—and because the third generation doesn't have the problem of deciding what they are as the second did."

Melik Ohanesian, the 44-year-old owner of the Dardanellen Restaurant, 86 University Place, was born in France but came to New York as a youngster. His father and mother were among those who fled Turkey unscathed.

"You are always conscious of being Armenian," he said: "Armenians do not hate the Turks, I cannot hate a Turk. We want history to be built on the truth."

"My daughters are young," he said. "But they have the feeling of being Armenian as well as American, even though they might not know the Armenian language. This is how we survive with our culture. We are, I call it, the last of the Mohicans."

#### LAW DAY IN CONNECTICUT

Mr. RIBICOFF. Mr. President, May first, 1975, will mark the 18th annual nationwide observance of Law Day—USA, a special day set aside by joint resolution of Congress and by Presidential procla-

mation for "rededication to the ideals of equality and justice under law."

The purpose of the annual observance is to dramatize the values of living under a system of laws and independent courts that protect rights and make possible a free society.

The theme selected in recognition of Law Day 1975 is: America's Goal—Justice Through Law.

The significance of the nationwide observance of Law Day on May 1 has never been more pointed than this year. Events during the past 2½ years have proved that the American judicial system does work, that it successfully resisted every attempt to subvert it, and that ours is a government of laws, not men, and those laws are sound.

More than 1,500 State and local bar organizations will observe the Law Day event with appropriate activities and ceremonies in the Nation's courts, schoolrooms and municipalities with the cooperation of thousands of public spirited agencies and organizations.

The Connecticut Bar Association, which has set an unprecedented record as the recipient of the ABA Award of Merit for 4 of the past 5 years for the excellence of its Law Day programs, will join with Connecticut's secretary of the State, Gloria Schaffer, to present young attorneys in more than 150 of Connecticut public and private high schools speaking on the rights, obligations and privileges of reaching the majority age of 18.

At the same time, Project VOTE—Voice Opinions Through Elections—cosponsored by 17 public and private organizations, including educational, political, business and community service groups, will attempt to register at the school assemblies all students who have become eligible to vote by that date.

In addition, all of Connecticut's 25 local and county bar associations will conduct a variety of programs which will include presentations in elementary and junior high schools, ceremonies in all of the State's courts, proclamations by the mayors and first selectmen of Connecticut's 169 municipalities, special distinguished service awards to deserving laymen and media presentations.

#### JACK SHEEHAN

Mr. PERCY. Mr. President, I noted with regret the impending departure of Gov. John Sheehan from the Federal Reserve Board.

Appointed in 1972, Jack Sheehan served with great distinction during times of extraordinary economic and financial stresses. The counsel, wisdom, and thoughtful approach he brought to his responsibilities will be missed.

Mr. President, I ask unanimous consent that an article, which appeared in the New York Times, be printed in the RECORD.

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

#### JOHN E. SHEEHAN

John E. Sheehan has resigned as a member of the Federal Reserve Systems board of governors, effective June 1, the White House announced yesterday. Mr. Sheehan,



who is 45 years old and who has been a governor since 1972, will return to private business, but his exact plans could not be determined yesterday afternoon. His term was scheduled to expire in 1982.

In recent months, Mr. Sheehan has carried several messages to the banking community. In March, he urged that bankers, who had been watching the demand for business loans sag, become more accommodating in their lending policies. Last December, Mr. Sheehan criticized what he called "the hodgepodge of bank regulation" and he came out in support of a single Federal banking regulatory agency.

Born in Johnstown, Pa., Mr. Sheehan graduated from the United States Naval Academy and the Harvard Business School. When he was appointed to the board by former President Nixon, Mr. Sheehan was president and chief executive officer of the Corhart Refractories Company of Louisville, Ky., a subsidiary of Corning Glass Works.

In resigning the \$40,000-a-year position, Mr. Sheehan described serving at the Fed as "an unqualifiedly satisfying privilege and experience." He also praised the central bank's "truly brilliant staff."

#### VAN CAMP SEAFOOD CO. ENTERS INTO VOLUNTARY FISH INSPECTION PROGRAM

Mr. MAGNUSON. Mr. President, the Van Camp Seafood Co., a subsidiary of the Ralston Purina Co. of St. Louis, Mo., has entered into the voluntary fish inspection program administered by the National Marine Fisheries Service, an important component of the National Oceanic and Atmospheric Administration. The National Marine Fisheries Service is authorized by the Agricultural Marketing Act and the Fish and Wildlife Act to develop and implement quality grading standards for fishery products and to improve health and sanitation standards in the industry. Through the voluntary inspection program, NMFS conducts plant and product inspection services on a continuing basis for fish processors.

While plants under the continuous inspection program are subject to inspections by the Food and Drug Administration, this program represents one more initiative at joint Government-industry cooperation. On the one hand we have the Federal agencies involved deferring to the expertise of one another. On the other hand we have an outstanding processor leading the way to insure the high quality and safety of the fisheries products which it produces.

To the Van Camp Seafood Co., I extend my heartiest congratulations for entering this voluntary inspection program. Once under the program, the level of safety and quality is as high a standard as can be expected. It is definitely a step which other fisheries processors should consider.

#### DAVID ROCKEFELLER ON MULTINATIONAL CORPORATIONS

Mr. PERCY. Mr. President, David Rockefeller, chairman of the Chase Manhattan Corp., recently commented on criticisms of multinational corporations. He called multinationals—

The most important instruments in the unprecedented expansion that has taken place in world trade.

He said that they promoted competition and jobs. He called for an effort to help refute the critics of multinational corporations.

Mr. President, I ask unanimous consent that an article from the New York Times reporting Mr. Rockefeller's remarks be printed in the RECORD.

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

#### DAVID ROCKEFELLER ON "MULTINATIONAL CORPORATIONS"

David Rockefeller called on the business community in Britain and elsewhere yesterday for a united effort in refuting what he termed "the proliferating critics" of multinational corporations.

The chairman of the Chase Manhattan Corporation, said in an address at the stock exchange in Manchester, England, that "We should be doing all in our power to lift the siege that is taking shape around the beleaguered multinational companies."

He termed the multinationals "the most important instruments in the unprecedented expansion that has taken place in world trade." He said that, instead of creating monopolies, exporting jobs and exploiting underdeveloped countries, as critics charge, the multinationals were promoting competition and creating jobs.

Mr. Rockefeller commented that the principal complaint of underdeveloped countries was that multinational companies were neglecting them in new investment and expansion.

He noted that the "fiercest kind of political and rhetorical assault" on multinationals has been coming from "academics, from writers, from left-leaning economists and from politicians." He characterized "the spate of new publications" on multinationals "as collections of innuendo, half-truths, distortion and outright falsehood."

#### MUNICIPAL CLERKS WEEK

Mr. INOUE. Mr. President, the City Councils of Gardena and South El Monte, Calif., have recently passed resolutions in support of Senate Joint Resolution 45, which I have introduced, to designate the second week in May as "Municipal Clerks Week."

I ask unanimous consent that these resolutions be printed in the RECORD.

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

#### RESOLUTION No. 75-1781

A resolution of the City Council of the City of South El Monte, California, supporting Senate Joint Resolution No. 45 and House Resolution No. 227, relative to designating the second week in May as "Municipal Clerks Week"

Whereas, it is recognized that the City Clerk performs the highly valued functions of administering the procedures and keeping the records of the City; and

Whereas, it is further recognized that the City Clerk provides and maintains an organized source of knowledge about the community; and

Whereas, the City Clerk provides conscientious representation of the municipal government in the affairs of the community; and

Whereas, the City Clerk helps mold public opinion of local government through daily contact with the citizenry;

Now, therefore, the City Council of the City of South El Monte, California, does hereby resolve as follows:

Section 1: That the City Council of the

City of South El Monte does hereby support the national movement to recognize the importance of the position of City Clerk with the passage of joint congressional resolutions designating the second week in May as "Municipal Clerks' Week."

Section 2: That the City Council of the City of South El Monte does hereby encourage the Senate Committee on Judiciary and the House Post Office and Civil Service Committee to give Senate Joint Resolution No. 45 and House Joint Resolution No. 227 respectively, favorable hearings.

Section 3: That the City Clerk be authorized and instructed to forward a copy of this Resolution to the City of Carson, to Senators Alan Cranston, John V. Tunney and Daniel K. Inouye, Congressmen Charles H. Wilson and G. William Whitehurst, Virginia, Committee of Post Office and Civil Service, Senate Committee on Judiciary, and all cities within Los Angeles County.

Section 4: That this Resolution shall take effect immediately.

Section 5: That the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the original of same to be entered in the Book of Resolutions of said City of South El Monte, and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

#### RESOLUTION No. 3127 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, SUPPORTING SENATE JOINT RESOLUTION No. 45 AND HOUSE JOINT RESOLUTION No. 227, RELATIVE TO DESIGNATING THE SECOND WEEK IN MAY AS "MUNICIPAL CLERKS' WEEK"

Whereas, it is recognized that the City Clerk performs the highly valued functions of administering the procedures and keeping the records of the City; and

Whereas, it is further recognized that the City Clerk provides and maintains an organized source of knowledge about the community; and

Whereas, the City Clerk provides conscientious representation of the municipal government in the affairs of the community; and

Whereas, the City Clerk helps mold public opinion of local government through daily contact with the citizenry;

Now, therefore, the City Council of the City of Gardena, California, does hereby resolve, declare, find, determine, and order as follows:

Section 1. That the City Council of the City of Gardena does hereby support the national movement to recognize the importance of the position of City Clerk with the passage of joint congressional resolutions designating the second week in May as "Municipal Clerks' Week."

Section 2. That the City Council of the City of Gardena does hereby encourage the Senate Committee on Judiciary and the House Post Office and Civil Service Committee to give Senate Joint Resolution No. 45 and House Joint Resolution No. 227 respectively, favorable hearings.

Section 3. That the City Clerk be authorized and instructed to forward a copy of this Resolution to the City of Carson, to Senators Alan Cranston, John V. Tunney and Daniel K. Inouye, Congressman Charles H. Wilson and G. William Whitehurst, Virginia, Committee of Post Office and Civil Service, Senate Committee on Judiciary, and all cities within Los Angeles County.

Section 4. That this Resolution shall take effect immediately.

Section 5. That the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the original of same to be entered in the Book of Resolutions of said City of Gardena, and shall make a mi-

nute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

#### SECTION 235 HOMEOWNERSHIP PROGRAM

Mr. PERCY. Mr. President, I know my colleagues are aware of the suit which has been filed by Elmer B. Staats, Comptroller General of the United States, against President Ford, Director James Lynn of the Office of Management and Budget, and Secretary Carla Hills of the Department of Housing and Urban Development.

Mr. Staats, acting on behalf of the Congress, is seeking an order from the court requiring the President to obligate \$264.1 million in contract authority available under the section 235 homeownership program.

The case, I believe, is a strong one. Under the Housing and Community Development Act of 1974, Congress specifically authorized the use this year—before August 22, 1975—of the spending authority that was impounded as a result of President Nixon's suspension of the 235 program in January 1973. Under the terms of the Budget Control Act, the Senate disapproved President Ford's request to defer implementation of the program and both the Senate and the House rejected the request to rescind the spending authority specified in the relevant appropriations acts of 1971 and 1972. The money, therefore, must be obligated.

With the need for anywhere from 2.2 to 2.7 million new housing units a year for the rest of the decade and with unemployment among construction workers running at a rate in excess of 20 percent, we should revive and adequately fund the 235 program. As Oliver H. Jones, executive vice president of the Mortgage Bankers Association, has said:

If the Ford Administration wants quick action to stop the rising rate of unemployment in residential construction, its best bet is to open up the subsidized programs that are already on the books.

Senator PROXMIRE, the distinguished chairman of the Senate Banking, Housing and Urban Affairs Committee, has said that the \$264.1 million could help support the purchase of 200,000 new housing units and put 400,000 workers back on the job. The National Housing Conference estimates that the impounded funds will provide 240,000 units.

I believe the 235 homeownership program should be reactivated now. I have never understood the administration's negative attitude toward this program, especially in the wake of the amendments which Congress enacted in the 1974 Housing Act.

There has been fraud and abuse in various FHA programs. But much of the fraud has been wrongly attributed to the 235 program. Whatever problems existed, and there were some, were not caused by the program's design but to a great extent by mismanagement of the program by HUD.

The program, I believe, accomplished a great deal despite poor management. The Federal budget for fiscal year 1976 estimates that by June 30, 1977, the end of the fiscal year, 447,000 units will be eligible for mortgage subsidy payments. This means that nearly 450,000 families, representing over 2 million people, will be homeowners as a result of the 235 program. With a median income of about \$6,500, few of these families would have otherwise achieved this status.

According to HUD statistics, the average monthly income of 235 families was \$456 in 1972. The family's share of the monthly mortgage payment was \$100 and the average monthly subsidy was \$68.

A significant percentage of households which receive these subsidies eventually receive reduced subsidies or no subsidies at all because of their increase in income. After one recertification of income of 235 families, 8 percent stopped receiving any subsidy, 65.8 percent received a reduced subsidy, 13.4 percent had no change, and only 20.8 percent received a larger subsidy.

"Housing in the Seventies," the comprehensive study itself commissioned by the Department of Housing and Urban Development to attempt to justify suspension of several housing subsidy programs, including section 235, reached the following conclusions about the program:

First, the program enabled a great number of low- to moderate-income families to buy homes who could not have otherwise.

Second, only a third of all homeowners nationally have incomes below \$7,000, but close to two-thirds of all 235 beneficiaries had incomes below that level.

Third, the 235 program provided substantial benefits to recipients. Housing quality, the study estimated, improved 35 percent. Nonhousing expenditures made possible by 235 subsidies increased by 8 percent.

Fourth, the study did not demonstrate that section 235 housing cost more than privately built units.

The 235 program also has received high marks in other studies. Dr. Anthony Downs, vice president of the Real Estate Research Corp., reached the following conclusion:

On balance, we believe that both the Section 235 and Section 236 programs are effective instruments for meeting the key objectives of housing subsidies. . . . We believe their basic designs are sound, although some modifications can improve them. The major inadequacies so far encountered in the execution of these programs stemmed from either poor administration by HUD or the inherently higher risks of investing capital in housing for relatively low-income households in relatively deteriorating areas.

During the last few years, newspapers and magazines have given prominent coverage to the limited number of cases of fraud and abuse which have been associated with the 235 program. Few accounts of the program's success have been printed.

Two stories in particular illustrate the success of the 235 program. One involves

a demonstration project conducted by the San Francisco Development Fund. A preliminary report shows that under the Development Fund's buyer agent program, serious delinquencies in the 235 total of 412 section 235 loans were included in the buyer's agent program, of which 303 were included in the analysis. By the end of August 1974, only one of the loans was in foreclosure. The key to the success of the program was mandatory prepurchase counseling. The selection and training of prospective homeowners produced responsible buyers who caught up with their cash flow problems and did not become chronic delinquents, the study reported:

The provision of such "guidance," "counseling," or "training" was intended when the plans for the Section 235 legislation were first formulated. It is unfortunate that these plans were not carried out.

The San Francisco Fund's program differed from the usual administration of section 235 loans in a number of ways. In addition to careful screening and mandatory training sessions, prospective homebuyers themselves instead of builders or real estate brokers were given HUD subsidy reservations. Consumers then shopped for homes anywhere within a 50-mile radius of San Francisco. This demonstration project shows the effect of imaginative management of the section 235 program.

Another successful effort occurred in Chicago. The Bickerdike Redevelopment Corp., a nonprofit community housing corporation on the near-northwest side of the city, built and sold single-family homes. They were the first new single-family homes built in the community in over 50 years. Most of the homes were sold to families who qualified for interest subsidies under the 235 program. From 1970 to 1973, Bickerdike, along with two general contractors, built 65 single family homes. Sixty-three of these were sold under section 235 and two were sold with conventional FAA financing.

Seventy percent of the buyers were Latin Americans. The majority of the families were in the \$7,000 to \$9,000 income range and most had two, three, or four children. As of about a year ago, three families had lived in their homes for over 3 years; 24 families 2 to 3 years, 32 families for 1 to 2 years, and 5 families for about a year. Two of the homes had been turned back to HUD because of foreclosures. One was owned by a single woman with adopted children who simply left the property. The other was turned back because the divorced mother of five children died. Two families in danger of foreclosure were able to stay in their homes, because of counseling from Bickerdike.

Besides coordinating the construction of homes, arranging financing, and selling them, Bickerdike worked with the buyers to help them become knowledgeable homeowners. Meetings were held on insurance, maintenance, and budgeting for home improvements. A homeowner's association was formed to work on common problems such as high taxes.

Mr. President, success stories such as these exist in every part of the Nation.



They provide ample evidence for reactivation of the section 235 program. I hope President Ford will respond to the suit filed by the Comptroller General and allocate the appropriate funds for the program. So far as creating jobs soon and filling urgent national and human needs it is much, much preferable to re-lease highway trust funds as the President has done.

#### DO NOT BLAME THE PEOPLE

Mr. CHURCH. Mr. President, the distinguished Senator from New Hampshire (Mr. McIntyre) has issued a painfully truthful indictment of the American political establishment's capacity not only for self-delusion but for delusion of the populace it leads.

In a speech excerpted in the Washington Star, he describes how the establishment has stripped itself of credibility by the failures of its guidance. He notes that, even today, with an energy crisis born of heedless gluttony, the establishment answer is more of the same, a voracious assault on dwindling reserves.

And he asks why the American people should believe their leaders when those same pretenders to wisdom are in the face of their own failures, trying "to dump a load of guilt and anguish upon the American people for the fall of South Vietnam and Cambodia in order to save face for the establishment and soothe the tender egos of those whose prophecies self-destructed before they self-fulfilled."

But if the establishment is blind, the people are not. If the establishment is incapable of learning from its mistakes, the people are not. As this pointed speech notes, the American people "finally saw what the establishment still refuses to see—that we were not supporting freedom-loving democratic governments, but callous despots who rigged their own elections, jailed their political opponents, closed down critical newspapers, and wallowed in bribery and corruption."

America can do better than that. In the future America must do better. And part of our redemption as a nation lies in heeding the sobering counsel found in this heartfelt speech. Mr. President, I ask unanimous consent that it be printed in the RECORD.

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

#### THE ESTABLISHMENT'S OLD EXPLANATIONS SIMPLY WON'T WASH

(By Senator THOMAS MCINTYRE)

(Vietnam, recession, the energy crisis, Watergate: Don't blame the people for the delusions and blunders of the power structure.)

The social ethic of the Constitution holds that the people are the ultimate authority, does it not?

But the sheer mass of 220 million Americans—scattered and preoccupied with personal and parochial interests—leaves the immediate and primary responsibility for charting the course of the nation to the power structure of the nation.

Now when we consider that the power structure of the country is, in truth, that

loose coalition of business leaders, political figures, old-line labor leaders and opinion molders we call The Establishment, it would seem at first glance that our is not a democratic republic—but an elitist regime.

Is it?

It was not supposed to be.

Even if we concede the practical need for a power structure, the social ethic of the Constitution is unmistakably clear . . . and it demands that the power structure, The Establishment, if you will, be ultimately and forever accountable to the people.

We—you and I—are part and parcel of The Establishment whether we like it or not. And so, in the context of this discussion, it is time to ask ourselves some questions.

Have we been accountable to the people? Have we met Daniel Webster's challenge to The Establishment to be alert and responsive to injustice and inequities, to be receptive to new ideas and concepts, to be tolerant of diverse opinion, to be willing to make necessary compromises and accommodate to changing circumstances?

Have we made an honest effort to preserve the viability of the public dialogue . . . to keep the lines of communication open and responsive in order to build trust and confidence?

Or—under the stress of crises and the clamor for reform of the system, re-examination of values, reordering of priorities and redefinition of national mission—have we hardened our defense lines around the status quo . . . and made bankrupt rhetoric and the cant of conventional wisdom our sole contribution to the public dialogue?

Let me drill a little closer to the nerve.

I have a strong feeling that you and I have a lot more in common than circumstantial membership in The Establishment.

Many of us are from the same generation and much the same background. We were reared in a simpler time, when value systems, authority and conventions were rarely challenged. In that sense, ours was a secure existence because it was singularly free from question if not from need. And when we grew up, even the wars we fought were fought with unswerving conviction and untroubled conscience.

In short, we came from a time and a society where it was deceptively easy to subscribe to "my country right or wrong" because to our knowledge our country never did anything wrong.

America was good . . . because it was good to us.

And within many of us, this conditioning nurtured a simplistic, single-dimension patriotism that rarely looked beyond the furls of the flag or the lyrics of the anthem and was sharply at odds with the sophistication of our education and our adult experience.

We knew what America was, didn't we?

It was God-given bounty in endless supply. It was oil and steel. It was opportunity and enterprise. It was a way of life so righteous and rewarding we were honor-bound to impose it upon other peoples and cultures whether they wanted it or not.

Moreover, there were spin-offs from this primitive concept of what America was . . . and why it was that we were no less self-deluding.

Did we not begin to equate right with respectability? Dollar success with omniscience in all matters? Conformity with competence? Traditional methods with eternal verities? Bigness with best?

If the answer is at least a qualified yes, then perhaps this explains why the public dialogue broke down.

For under siege by its own convention-defying sons and daughters, and by some thoughtful non-Establishment adults, the power structure of the country fell back to defend its vested interest in the status quo with an arsenal of rhetoric that bore little

relationship to changing circumstances and new realities and was an affront to balanced judgments.

Consider some of that rhetoric:

When that quintessential figurehead of The Establishment, Richard Nixon, was toppled by Watergate, how did we respond?

Did we tell those who looked to us for balanced judgment that Watergate proved that the Founding Fathers' system of checks and balances still worked? Or did we call it "politics as usual?" Or cynically observe that Richard Nixon's only mistake was "getting caught?"

When the energy crisis caught us un-awares, did we face up to it as the legacy of heedless exploitation of finite resources, the neglect of keeping refinery capacity up to demand, a pricing structure that encouraged waste and discouraged and discouraged conservation, the failure to develop alternative sources?

Or did we blame it all on the embargo and the environmentalists?

Were we guilty of the same tunnel vision in explaining the current economic crisis?

Did we blame it all on inflationary government handouts and social spending? But discreetly ignore the increasing number of industry giants seeking government bail-outs to help them socialize losses while they privatized profits?

Did we vent our moral outrage on welfare cheats . . . but save none of it for antitrust violators, price-fixers, price gougers or government contract rip-off artists?

And when our exaggerated national pride was offed by the refusal of rebel forces in far-off Indochina to surrender to government troops backed up by thousands of American advisers, soldiers, planes and equipment, how did we respond?

Did we say failure was due to our not doing enough? Did we call for more of the same? More money, more guns, more bullets, more Americans drafted from the ghetto while our sons were safe in college? Or did we admit to a colossal error in judgment and face up to the avalanche evidence that the cause we were supporting wasn't viable enough to support itself?

When national crisis shatters national illusion, the restoration of public trust and confidence depends upon the credibility of explanation and solution.

The Establishment's explanations for the crises I've noted won't wash, my friends. They simply won't wash.

But what concerns me now is The Establishment's post-crisis response. What solutions will the power structure offer for the American people's consideration?

Let me zero in on two, and tell you straight off that they won't wash, either.

Indeed, one of them could kill the body of America . . . and the other its soul.

Consider The Establishment's solution to the energy crisis: What does it propose to the American people?

More of the same. More oil wells, more refineries, more coal mines, more nuclear fission generating plants. All this in the face of disturbing evidence that our national sources of oil and natural gas will be gone in 25 years. That mining the tempting sub-surface coal in the Western states could destroy the water supply and the food-producing capacity of that region, that generating power through nuclear fission may not be cost effective, may never become fall-safe, but may become ever more vulnerable to theft, sabotage and terrorist blackmail.

Is this all we can offer the American people? This and high and higher energy costs? I'm sure you've heard that some people are now paying more for electricity than they are on their home mortgages. And what does that do to public trust and confidence?

What ever happened to the vision, boldness and ingenuity of American enterprise?

Did it, too, fall victim to the deluding comforts of the status quo and the rigidities of conventional wisdom?

Let me tell you a little story. A year ago, a native son of my state of New Hampshire died after a lifetime that spanned more than a century.

This man believed that the sun could be put to work to provide energy without pollution. In 1920 he invented a solar cooker. In 1938 he patented a solar engine that would produce 100,000 kilowatt hours of electrical power a year. In 1972 he secured another patent on a refinement of this engine.

But he never found anyone willing to invest in so much as building a prototype.

Some of you may have conjured up an image of an eccentric visionary no respectable investor in his right mind would take seriously.

You'd be wrong. The gentleman I'm talking about is the late Dr. Charles Greeley Abbot, a world-renowned astrophysicist who at the time of his death was the oldest member of the National Academy of Sciences, the past president of the prestigious Cosmos Club, and the longtime secretary of the Smithsonian Institution.

When a man of his credentials is not taken seriously by The Establishment, what more is there to say? Except to ask what America's energy situation would be today if The Establishment had listened to, encouraged and underwritten Dr. Abbot's efforts 55 years ago.

But if The Establishment has defaulted in its responsibility to be receptive to new concepts and responsive to new challenges in the aftermath of the energy crisis, it has all but destroyed its credibility in the closing hours of the Indochina crisis.

If ever a situation cried out for honesty with ourselves, it is here. For The Establishment has deluded itself—and misled the people—for a quarter of a century.

I can say this, because for a long, long time this particular member of The Establishment deluded himself about Vietnam, and I know I was not alone.

It was not until 1968 that I began asking myself why the light at the end of the Vietnam tunnel kept going out before we reached it. And finally it came to me that those rosy readouts from the Pentagon and the State Department computers were the direct result of faulty programming.

Not only was the information fed into the computers of suspect accuracy, but motivation—the most crucial component of all—was never factored into the equation!

The entire analytical process was skewed from the outset by this glaring omission, and the blame rests squarely with The Establishment and its faulty assumption that the government of South Vietnam was a bastion of freedom and democracy its people would fight to the death to defend.

It is now tragically self-evident that neither 56,000 American lives nor 150 billion American dollars could make that assumption fact.

And I say to you here and now: The final, ultimate and most reprehensible betrayal of truth in this endless travesty is the misbegotten effort—already under way—to dump a load of guilt and anguish upon the American people for the fall of South Vietnam and Cambodia in order to save face for The Establishment and soothe the tender egos of those prophecies self-destructed before they self-fulfilled.

The American people didn't sell out South Vietnam and Cambodia.

They gave their dollars. And they gave their sons. Fifty-six thousand Americans died in Indochina. But so far as we know, not one Soviet or Chinese soldier fought on the side of the North Vietnamese.

The American people gave 34 times as much military aid to South Vietnam as the Communist powers gave to North Vietnam. And let the record show that, by the CIA's own estimates, we gave the South Vietnamese \$6.6 billion in assistance since the Paris peace accords were signed, while the Soviets and the Chinese were giving only \$2.7 billion to the North Vietnamese.

The American people gave again and again and again . . . until to their everlasting credit they finally saw what The Establishment still refuses to see—that we were not supporting freedom-loving democratic governments, but callous despots who rigged their own elections, closed down critical newspapers and wallowed in bribery and corruption.

They saw the paradox of an Establishment boasting of detente with the Soviet Union and the Peoples Republic of China but obsessed with crushing rebellions—inspired more by anti-colonialism and nationalism than by communism—in tiny southeast Asia countries.

They saw the inherent flaw in a foreign policy that allied us with authoritarian regimes whose sole claim to our support was not that they stood for freedom, but that they spoke against communism. They saw that the dominoes are falling not for lack of our support—but from their own inner rot.

They saw that from beginning to end, paradox, duplicity and self-delusion have presented us with an endless series of impossible options in Southeast Asia, including the final and agonizing choice of pledging more aid or risking the lives of those Americans still in Saigon to South Vietnamese reprisal!

No, my friends, the American people cannot—and must not—be blamed for the mistakes of The Establishment.

They deserve The Establishment's admission it was wrong.

They deserve The Establishment's pledge to see straight—and talk straight—from now on.

If the people are given the facts, if they are told the truth, if their judgment is respected by The Establishment, if the public dialogue is a two-way street, they will make what sacrifices are necessary; they will honor those national commitments that deserve to be honored.

There is nothing wrong with their compassion; nothing wrong with their courage; nothing wrong with their resolve.

But don't ever try to fool them again. Because they know better now.

#### CONCLUSION OF MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

#### RAILROAD TEMPORARY OPERATING AUTHORITY ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of S. 917 which the clerk will state by title.

The legislative clerk read as follows:

A bill (S. 917) to amend the Interstate Commerce Act to authorize the Interstate Commerce Commission to grant temporary operating authority to a carrier by railroad pending final determination by the Commission.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce with amendments.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time not be charged against either side.

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

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

#### RECESS UNTIL 1:30 P.M.

Mr. ROBERT C. BYRD. Mr. President, without the time for the recess being charged against time on the bill, I ask unanimous consent that the Senate now stand in recess until the hour of 1:30 p.m. today.

There being no objection, the Senate, at 12:44 p.m., recessed until 1:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BUMPERS).

#### ORDER OF BUSINESS

Mr. STONE. Mr. President, I ask unanimous consent to address the Senate for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator may proceed.

#### VISIT OF OFFICIAL NAVAL TRAINING SHIP OF SPAIN

Mr. STONE. Mr. President, yesterday the Port of Miami was graced by the arrival of the official naval training ship of the Spanish nation. This visit to Miami was in celebration and is in celebration of the American Bicentennial and it is a grand and glorious gesture, making a very favorable impact on our south Florida community.

The inauguration ceremonies of this visit were attended by His Excellency, the Ambassador to Washington of Spain, Jaime Alba, by naval officials of the U.S. Coast Guard and Navy, and by officials of the county, city, and the United States.

As we commence our bicentennial year, it is appropriate to recall that the origin of settlement in this Nation was Spanish and occurred in the area of St. Augustine, Fla., more than 400 years ago, twice the bicentennial period that we celebrate. Those settlements took place, and the settlements still exist and, in fact, the relationship between my State and Spain has grown warmer and more friendly over the decades and over the centuries.

In this period when the nation of Portugal seems to be drifting or even galloping away from its commitment to the West, while we are in negotiations with



the Spanish Government for the renewal of our treaty arrangements for military and naval installations in that nation, it is appropriate that this celebration of the bicentennial spirit take place.

I was gratified to learn, for example, that Spanish leaders greatly assisted in the American Revolution with men, with materiel, and with all sorts of support, and I wish to salute His Excellency, the Spanish Ambassador, for his warmth of friendship to this Nation.

I wish to salute the Captain de Fragata, Marcial Fournier Palicio, the officers and men of the Juan Sebastian De Elcano for their visit to Florida and to this Nation.

#### QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 24 Leg.]

Bumpers	Hruska	Stone
Griffin	Mansfield	Weicker
Hansen	Pearson	
Hartke	Stafford	

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Pending the execution of the order, the following Senators entered the Chamber and answered to their names:

Abourezk	Ford	Moss
Allen	Garn	Muskie
Baker	Goldwater	Nunn
Bartlett	Gravel	Packwood
Bayh	Hart, Gary W.	Pastore
Beall	Hart, Philip A.	Pell
Bellmon	Haskell	Percy
Bentsen	Hatfield	Proxmire
Biden	Hathaway	Randolph
Brook	Huddleston	Ribicoff
Buckley	Humphrey	Roth
Burdick	Inouye	Schweiker
Byrd	Jackson	Scott, Hugh
Harry F., Jr.	Javits	Scott
Byrd, Robert C.	Johnston	William L.
Cannon	Kennedy	Sparkman
Case	Laxalt	Stennis
Chiles	Leahy	Stevens
Church	Magnuson	Stevenson
Clark	McClellan	Symington
Culver	McClure	Taft
Curtis	McGee	Talmadge
Dole	McGovern	Thurmond
Domenici	Metcalf	Tower
Eagleton	Mondale	Tunney
Eastland	Montoya	Williams
Fong	Morgan	

Mr. ROBERT C. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Louisiana (Mr. LONG), the Senator from Indiana (Mr. BAYH), and the Senator from Wisconsin (Mr. NELSON) are necessarily absent.

I further announce that the Senator from New Hampshire (Mr. McINTYRE) is absent on official business.

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. BROOKE), the Senator from Arizona (Mr. FANNIN), the Senator from North Carolina (Mr. HELMS), and the Senator from North Dakota (Mr. YOUNG) are necessarily absent.

I also announce that the Senator from Maryland (Mr. MATHIAS) is absent on official business.

The PRESIDING OFFICER (Mr. Brock). A quorum is present.

#### RAILROAD TEMPORARY OPERATING AUTHORITY ACT

The Senate continued with the consideration of the bill (S. 917) to amend the Interstate Commerce Act to authorize the Interstate Commerce Commission to grant temporary operating authority to a carrier by railroad pending final determination by the Commission.

Mr. HARTKE. Mr. President, I yield to the Senator from Kansas.

Mr. PEARSON. Mr. President, I am pleased that the Senate today has taken up for consideration the bill, S. 917, which I have introduced in order to provide the Interstate Commerce Commission with adequate tools to insure that a continuation of service is maintained on the Rock Island properties which are essential to communities and shippers throughout the 13-State region served by the carrier. This legislation is cosponsored by the distinguished Senators from Iowa (Mr. CLARK and Mr. CULVER), and the distinguished Senators from Minnesota (Mr. MONDALE and Mr. HUMPHREY).

After a full day of hearings on the Rock Island crisis, the Committee on Commerce met in executive session to consider whether additional legislative authority was needed to insure a continuation of service until a permanent plan of reorganization is considered and approved by the court and the Interstate Commerce Commission. The committee reported S. 917, with important and significant amendments, after a full discussion of the options available to the Congress.

Mr. President, the committee has concluded, along with the ICC, the DOT, and the Board of Directors of the U.S. Railway Association, that the financial situation of the Rock Island is hopeless. The carrier has lost money continuously since 1965. Because of the downturn in the economy and other factors, car loadings this year are down nearly 15 percent below 1 year ago. After the carrier lost some \$10 million in the first 2 months of 1975, the ICC estimated that the Rock Island would suffer an aggregate \$60 million cash drain during the current year.

If a reasonable program of rehabilitation would put the carrier in a financially viable position, the U.S. Railway Association undoubtedly would have approved the requested \$100 million loan. But, the

USRA Board determined that some \$700 million would be needed over a 10-year period to rehabilitate the Rock Island system. In order for this rehabilitation program to be successful, a down payment of some \$400 million would be needed now. Ultimately, the USRA Board of Directors rejected the request of the Rock Island for a \$100 million loan guarantee because, in the view of the USRA, the railroad had no hope of repayment—as the law requires.

It appeared to the committee, as it did to the USRA Board, that a loan to the railroad at this time, in order to maintain the status quo, would be a little more than a grant. Such a loan could be repaid only after liquidation of the company and the sale of its properties to other railroads in the region.

The Rock Island railroad entered bankruptcy proceedings under section 77 of the Federal Bankruptcy Act on March 17. Mr. William Gibbons, a Chicago lawyer, was named by Federal District Judge Frank McGarr on March 28 as the trustee in bankruptcy. I am pleased to report that those who have had personal conversations with Mr. Gibbons are convinced that he is sensitive to the deep obligation, under section 77 of the Bankruptcy Act, to maintain service at least until a plan of reorganization is submitted for court and ICC approval.

Mr. President, a railroad in bankruptcy may defer payment of taxes and interest on debt obligations. In bankruptcy the Rock Island will defer, at most, payment of \$8.2 million on an annual basis. This railroad has such a modest debt structure that an income based reorganization, under the Bankruptcy Act, is considered to be somewhat unlikely. Debt service has not been the problem for the Rock Island. Cash flow has been and continues to be a problem. The Rock Island's cash position has been the subject of almost daily scrutiny by the ICC and the DOT since the company's management announced early this year that obligations due and payable could not be met.

Mr. President, the decision of the ICC on March 25 to authorize a nationwide 7-percent freight rate increase will reduce Rock Island projected losses for 1975 to about \$40 million. This is a substantial loss, of course, and must be considered a problem of major proportions by the trustee, the Court, the Commission, and the Congress. Nevertheless, it is not an unmanageable crisis, in view of the fact that cash savings are being achieved by deferral of interest and tax payments. The trustee will have an opportunity to undertake further initiatives to reduce cash drain. And finally, the trustee will have an opportunity to issue "trustee certificates," with the highest priority upon liquidation, to raise the necessary cash to continue operations. The DOT, moreover, has authority to guarantee up to \$23 million in trustee certificates of the Rock Island under the terms of the Emergency Rail Services Act of 1970. This obligational authority available to DOT under existing law is the remainder of the loan guarantees

approved by Congress to meet a comparable problem on the Penn Central more than 4 years ago.

Mr. President, much has been made of the fact that, upon recommendation of our committee, the Congress ultimately approved grants to continue service on the Penn Central and other bankrupt railroads in the Northeast.

The Congress approved grants for the Penn Central, however, only after the Court concluded that an unconstitutional erosion of the creditors' estate would result if further federally guaranteed trustee certificates were issued with high priority upon liquidation. The situation on the Rock Island today, of course, is materially different from that on the Penn Central. In the case of the Penn Central, the debt was enormous. The common stockholders' equity over the years had been reduced to the point where the stock was virtually worthless upon liquidation. In the case of the Rock Island, however, the trading was suspended at \$8 per share of common. The management of the Rock Island, in testimony before our committee, has estimated that the common equity in their company is between \$75 and \$100 per share. There is no doubt that the trustee of the Rock Island properties has adequate opportunity to issue trustee certificates in order to raise cash for continuing operations pending submission of a reorganization plan to the Court and to the Commission.

Therefore, Mr. President, it appears to the committee that the trustee of the Rock Island has adequate resources to continue operations without direct Federal loans or grants through calendar 1975, at the very least.

Mr. President, throughout the difficult weeks and months since the Rock Island management announced the current cash crises, I have been impressed by the thoughtful and prudent response of the various railway labor organizations who represent affected employees on the Rock Island lines. The representatives of rail labor have worked closely with the committee and staff throughout this process, and have sought with us an appropriate response which, in the long run, will ensure viable and comprehensive rail service to the affected region. As is always the case, the Railway Labor Executives in this crisis have been concerned not only for the positions of their members, but also for the communities and shipers served by this railroad throughout its 123-year history. On April 15, 1975, the Railway Labor Executives Association met in Washington to consider the Rock Island crisis. In the course of the meeting, a resolution was adopted which sets forth, in my judgment, a very responsible recommendation for the consideration of the trustee, the Court, the ICC, the Congress, and the administration.

Mr. President, I request unanimous consent that the text of the resolution on the Rock Island crisis, as adopted by the RLEA, be inserted in the RECORD at this point.

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

#### RESOLUTION

The Railway Labor Executives' Association meeting in Washington, D.C., April 15, 1975, hereby adopts the following resolution concerning Congressional action to preserve the Chicago, Rock Island and Pacific Railway and other railroads and their operations in the States of Colorado, Illinois, Iowa, Kansas, Louisiana, Arkansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, New Mexico, South Dakota, Tennessee, Texas and Wisconsin (herein referred to as the Midwestern Region).

Whereas, the Chicago, Rock Island and Pacific Railway and certain other railroads serve sixteen states in the Midwestern Region of the United States and are important connecting links in the commerce of the United States running on East-West and North-South main routes, as well as serving the entire region through numerous branch lines and secondary main lines. As an example, the Chicago, Rock Island and Pacific has a total trackage of 7,200 miles, operated by 11,000 employees; and

Whereas, the Chicago, Rock Island and Pacific Railway is in reorganization under Section 77 of the Bankruptcy Act as a result of its having insufficient funds to meet its debts as they matured and is unable to rehabilitate its lines of railroad, rolling stock, and other equipment in order to remain competitive and provide to the Midwestern Region of the United States efficient and reliable service; and

Whereas, the Chicago, Rock Island and Pacific Railway has been denied a guaranteed loan by the United States Railway Association, because the USRA Board of Directors has not considered such a loan guarantee to be permitted under the provisions of the Regional Rail Reorganization Act of 1973:

Now, therefore, be it resolved, that the Railway Labor Executives' Association, which Association represents 80% of the railroad employees in the United States, does hereby request the Congress of the United States to give the highest priority and favorable consideration to continuation and rehabilitation of the services of the Chicago, Rock Island and Pacific Railway as well as other railroads in the Midwestern Region through legislative action which would:

(1) Urge the Trustee of the Chicago, Rock Island and Pacific Railway to seek funds now available under the provisions of the Emergency Rail Services Act of 1970, in the form of loans secured by Trustee Certificates in amounts necessary to preserve service intact pending reorganization;

(2) Urge the Trustees to publicize receipt of adequate funds through the issuance of Trustee Certificates in order to restore shipper confidence in the continued operation of that railroad;

(3) Provide for emergency public service employment to rehabilitate railroad lines;

(4) Amend the Emergency Rail Services Act of 1970 as necessary to provide the required funds or amend the Regional Rail Reorganization Act in such manner as to permit the United States Railway Association to guarantee loans to the Chicago, Rock Island and Pacific Railway and other railroads in the Midwestern Region for the purpose of rehabilitation of said railroads' track, roadbed, related facilities and rolling stock in order to enable them to continue serving as important parts of our nation's railway transportation system; and

(5) Insure that the Midwestern Region of the United States has a healthy transportation system adequate to serve the present and future needs of that region and of the United States.

Mr. PEARSON. Mr. President, the RLEA in its resolution has recognized the affirmative duty of the trustee in bankruptcy to continue service pending

submission of a plan of reorganization. In its resolution, the RLEA has urged the trustees to utilize available loan guarantees if such guarantees are needed to secure trustee certificates for the continuation of service in the affected 13-State region. The Congress is admonished to insure that adequate authority is available under either the Emergency Rail Services Act of 1970 or the Regional Rail Reorganization Act to facilitate financing in the private sector for this essential transportation purpose. Inasmuch as \$23 million in unexpended obligational authority is now available under the 1970 act, it would be appropriate for Congress to defer consideration of any loan or guarantee program for the Rock Island until existing remedies in law are fully exhausted.

Mr. President, in the fifth paragraph of the RLEA resolution, the unions have petitioned the Congress to "insure that the Midwestern region of the United States has a healthy transportation system adequate to serve the present and future needs of that region and of the United States."

I fully endorse this position, and I am confident that our committee will continue to work for this goal in the months ahead.

Mr. President, the committee urges the Senate to approve S. 917, as reported, to insure that, under all circumstances, the ICC has adequate authority to assure a continuation of adequate and essential services on the Rock Island properties. The authority contained in S. 917, as reported by the committee, is comparable to authority contained in part 2 of the act with respect to motor carriers. Under the terms of the bill, the ICC is authorized, on an emergency basis, to grant a petitioning railroad temporary authority to operate properties of a defunct railroad if such temporary authority is essential to maintain services and to avoid destruction or injury to the properties of the defunct carrier.

Under the terms of S. 917, as reported by the committee, those employees of the Rock Island, or any other railroad in comparable circumstances, who might be affected adversely by any orders issued, would be assured fair and equitable arrangements by the ICC in its orders. Thus, I stress that the terms of S. 917 in no way disadvantage any railroad employee. On the contrary, the fair and equitable arrangements for affected employees insure that, in the event of a Rock Island collapse, additional employees would be protected who, under existing law, are assured no protection.

Mr. President, under existing law, the ICC has authority in section 1(16)(b) of the act to order profitable railroads to operate over the lines of a defunct carrier to perform essential services for up to 8 months. The Government would be obligated to reimburse the operating carrier under this provision of the act. Section 1(16)(b) authority is adequate to protect the most essential services; however, there are other services currently performed by the Rock Island which might not be continued. The authority contained in S. 917, if exercised by the Commission upon application by operating carriers, could expand the service



program supervised and administered by the ICC following a Rock Island collapse. Therefore, it provides the Commission with a needed tool to insure that the most comprehensive possible service program and pattern be continued indefinitely.

Mr. President, S. 917, as reported by the committee, contains amendments recommended by the Department of Transportation to provide timely payment to operating carriers under section 1(16)(b). Under existing law, carriers ordered to operate essential properties of a defunct carrier under section 1(16)(b) could be required to wait many months before reimbursement by the Government. S. 917 contains an amendment to this subparagraph to provide monthly reimbursement to the operating carriers.

Mr. President, I would urge the Senate to approve S. 917 as a bill which could be useful in the event that, notwithstanding his authority to issue trustee certificates, the trustee in bankruptcy of the Rock Island properties decides that the railroad should be shut down.

Although the committee does not view it as appropriate for the trustee to terminate services on the Rock Island properties at this time, or in the foreseeable future, it is possible that he may decide otherwise. In the event that this latter decision is reached by the trustee, the terms of S. 917, as it is being considered in the Senate today, will provide an appropriate and needed response.

Mr. HARTKE, Mr. President, I wish to join my distinguished colleague, the ranking minority member of the Surface Transportation Subcommittee, Senator WEICKER of Connecticut in urging the Senate to pass S. 917. This bill is designed to authorize the Interstate Commerce Commission to grant temporary approval of the operation of one railroad by another railroad if failure to grant such temporary approval would result in destruction of rail properties or a substantial limitation upon their future usefulness in the performance of service to the public. The Interstate Commerce Commission already has similar authority under part II of the act, which deals with motor carriers, and this merely extends similar provisions to part I of the act in order to deal with a possible emergency in rail service.

The exercise of this ability would result in no direct cost to the Federal Government and could provide for the continuation of essential services on railroads where those services might be threatened with a cessation of operations. The legislation emerged from the cash crisis facing Chicago, Rock Island, and Pacific Railroad. Because of the precarious condition of the Rock Island one of the major carriers in the Midwest, my subcommittee recently held hearings on the possible legislative solutions to this crisis. At the time of the hearings, the Rock Island announced that it would soon run out of cash and would, therefore, be forced to embargo traffic and suspend service or enter reorganization proceedings under section 77 of the Bankruptcy Act.

Since that hearing the latter course of action has been followed, and reorganization court has appointed a trustee to oversee the Rock Island's operations. A recently granted rate increase by the Interstate Commerce Commission, in combination with the deferral of charges through the reorganization process, has led to a more favorable cash picture for the Rock Island. While the situation has somewhat stabilized, there still needs to be a long range planning effort and rehabilitation effort in the Midwest. I should caution my colleagues here in the Senate today that the bill before us merely provides the Commission with additional tools to deal with emergencies that might arise in the future—in my opinion, it probably does not provide the long range answer to the need to thoroughly upgrade the rail system serving the Midwest portion of the United States. In the coming days, the Senate Commerce Committee will be considering a number of pieces of legislation which are designed to make major policy changes toward rail transportation throughout the United States. Without these basic policy changes, not only will the Midwest be in further jeopardy, but the rest of the Nation should also expect to face serious crises in connection with the provision of essential rail services.

Mr. President, the hearings held by the Surface Transportation Subcommittee made it clear that the Rock Island is not the only railroad in the Midwest facing financial difficulties. At the same time, there was strong support for the view that the government should not immediately intervene with additional financial assistance other than that now provided by law to continue essential services in case one or more of these marginal carriers should be faced with a cessation of service. The Senate Commerce Committee evaluated all of the possible options for dealing with the need to upgrade rail service in the Midwest, and decided that substantial financial assistance should not occur without a coordinated planning effort to assure that that assistance creates a better long range system adequate to serve the needs of that region. The additional tools of S. 917 is designed to give the Interstate Commerce Commission will permit the ICC to assure the continuation of essential services while that long range planning effort is carried out. It allows other railroads to provide services on a temporary basis until a long term solution can be effectuated.

Mr. President, it has already been pointed out that this provision contains adequate labor protection provisions which will assure that fair and equitable labor protection conditions can be imposed by the Interstate Commerce Commission should it choose to exercise the authority granted by this legislation.

This legislation would also amend section 1(16)(b) of the Interstate Commerce Act to provide greater flexibility to the Commission in issuing emergency service orders under that provision of existing law. This minor technical change is also designed to insure that there will be adequate authority to continue essential operations in the event of a cessation

of rail service by permitting a more timely payment to railroads ordered to take up service on the lines of another railroad. It is a measure of the health of the entire railroad industry that the Congress needs to address the payment periods for services performed pursuant to section 1(16)(b). The simple fact of the matter is that many railroads could not sustain a 180-day billing cycle; this amendment permits more frequent payments to insure an adequate cash flow.

Mr. President, I commend the efforts of the distinguished ranking minority member of the Commerce Committee, Mr. PEARSON, in introducing this bill. I feel it helps to assure the continuation of essential rail services should we be faced with more emergencies, and I commend its provisions to the Senate.

S. 917 is not the final solution to the rail transportation problems of the Midwest—or any other region, for that matter. When my subcommittee held hearings on the Rock Island crisis, it was clear that two actions by the Congress are necessary: First, action to deal with a possible cessation of service by a rail carrier such as the Rock Island that is financially unable to continue operations; second, long-range action designed to create a healthy rail system in the Midwest and the rest of our Nation. The reason that the committee decided not to grant massive assistance to the Rock Island is that the Rock Island is not the only rail carrier that is in financial trouble. In the Midwest, for instance, both the Chicago and Northwestern and the Milwaukee Road are in a relatively precarious state. Furthermore, there is a substantial amount of excess trackage in the Midwest—we do not need six mainline direct routes between Chicago and Omaha, for instance. If the sort of massive Federal assistance that would be required to rebuild the Rock Island were provided by the Congress, it would not solve the rail transportation problems of the Midwest. In fact, we would still be faced with a Midwestern rail transportation system burdened with excessive trackage and marginal rail carriers—even if the Rock Island became a healthy carrier.

Over the next months, the Senate Commerce Committee will be working on a more comprehensive approach to the rail transportation problems of not only the Midwest, but the entire Nation. We will be looking at rail trust funds, government ownership or assistance to rehabilitate roadbeds, and many other concepts designed to bring our rail transportation system to the place it needs to be. Another concept we intend to examine is the possible role of the U.S. Railway Association in the Midwest. A planning and consolidation effort in that region similar to the effort now underway in the Northeast may be necessary. It is clear, however, that funds should not be provided without a long-range plan for improvement. I think it is important to remember that the Commerce Committee has not recommended further interim operating assistance for the northeastern railroads such as the Penn Central without tying those funds to the development and implementation of a long-

range plan designed to alleviate the problem. We do not intend to do so in the Midwest either.

Mr. CURTIS. Mr. President, will the distinguished Senator yield?

Mr. PEARSON. I was yielded to by the distinguished Senator from Indiana. With his concurrence, I am pleased to yield to the Senator from Nebraska.

Mr. CURTIS. I commend the distinguished Senator from Kansas for the time and attention he has given to this matter. As I understand it, without the passage of this bill, the only way service could be provided to those areas that must have it would be for the ICC to order that another company extend the service, and then pick up the check for all their losses; is that correct?

Mr. PEARSON. The Senator is substantially correct. Of course, the service could be continued by the order of the bankruptcy court. But if full service could not be assured under the bankruptcy proceeding, the Senator is absolutely correct: The only way to maintain service would be for the ICC to issue orders and the Federal Government would have to reimburse directed carriers to the extent that they do not earn a reasonable profit from such directed service.

Mr. CURTIS. But this will broaden the authority of the ICC, and put upon them the responsibility of shopping around to see if they can get another carrier to volunteer to serve the same lines without cost to the Government?

Mr. PEARSON. The Senator is correct. Mr. CURTIS. And that is basically the reason for the statement in the report that:

The administration of this act will entail no appreciable additional cost.

Mr. PEARSON. The Senator is correct.

Mr. CURTIS. It is true that we cannot turn the calendar back and complain about mistakes of the past; that does not solve the problem now. On the other hand, I think it is important that in all areas of the Government we do look at the mistakes of the past in order to avoid the same mistakes in the future.

It was quite apparent for a long time that the Rock Island was losing money and was headed for trouble, and an attempt was made to merge it with other roads in order to serve the public, and at the same time give to management a situation that apparently could operate without a loan.

Can the Senator tell us why that merger never went through?

Mr. PEARSON. The ICC did finally issue an order providing for a merger, but the merger proceeding is not administratively final. It has taken some 12 years, but that is because the parties to the merger proceeding have been contesting every step of the way. Procedures within the ICC and conflicting interests among the various parties drew this matter out to the extent that, as the Senator may know, it was the new Secretary of Transportation's recommendation in the past week that Congress act on some type of legislation which would remove merger proceedings from within the jurisdiction of the ICC.

So I would say to the Senator that there is a good deal of blame that can

be passed around among all parties involved.

One of the reasons why it is suggested that perhaps there would be no really great chance for reorganization under the Bankruptcy Act is the fact that the track and roadbed maintenance has been deferred and the costs of building the railroad up are so very great. Nothing has been done for a long time. There is equity in the stock, trustee certificates can be issued, and there can be a maintenance of service as a result of the bankruptcy proceedings themselves. It is thought that this is a matter very much different from the Penn Central, in that the Penn Central was down to rock bottom, no equity was left in any stock, and the assets were being dissipated from day to day.

The point is that you cannot have merger proceedings and have them run through some 12 years and have any sort of viable solution.

Mr. CURTIS. If the Senator will yield briefly for an observation—

Mr. PEARSON. Of course.

Mr. CURTIS. I do not wish to unfairly reflect upon any member of the Interstate Commerce Commission, now or at any time in the last 50 years.

Mr. PEARSON. They are prisoners of their own rules and procedures.

Mr. CURTIS. In any personal way, or anyone that works for them. Nevertheless, of all the antiquated agencies of the U.S. Government, they get the prize. They have not changed their procedures in the last 100 years. Not only does it take 10 or 11 years to get an answer on a merger matter that is of vital importance, their other procedures are just as bad. I know of one situation where a fairly small truckline was being acquired by a railroad company. Year after year went by. The seller could not find out whether he should renew the insurance on his trucks, whether he should get new licenses, whether he should repair them, whether he should buy tires—the thing was just pending in Washington.

In this day and age that is intolerable, and I do direct this criticism, not against anyone personally, but against the institution of the ICC. Not only are their procedures and laws antiquated, and while it is true that Congress writes the laws, they have been on the spot in charge of this, charged with public responsibility to provide us with transportation, and they have not come before Congress often enough and with sufficient vigor to demand changes in laws and procedures so we could have an Interstate Commerce Commission that served the public interest in a quick, efficient, and just way.

I thank my friend for yielding.

Mr. PEARSON. I thank the Senator. I might say that I think this is meritorious, and that I hope we will do some good work in that field.

Mr. TAFT. Mr. President, will the Senator yield for a question?

Mr. PEARSON. I yield.

Mr. TAFT. First, I commend the Senator on his assessment of the problems of the ICC, which I have been studying over a period of years, and found them so complicated and frustrating that, in fact, I

have been tempted from time to time to advocate the abolition of the ICC.

Mr. CURTIS. Well, I do that several times a year, when we cannot get boxcars. So far I have not succeeded, but I keep on trying.

Mr. TAFT. I do, too. But in connection with this particular matter, it seems to me, on initial, cursory examination of it, that even though we have a bankrupt company here, it is in the order that we would establish here that a railroad could come in and start operating with ICC approval over the tracks of the Rock Island; they would be doing so without any compensation, and I have serious question, from a constitutional point of view, whether that is possible if it is true. Will the Senator tell me whether or not in his opinion that is the case, or what was the resolution by the committee of that question?

Mr. PEARSON. The bill seeks to be implemented in this way: Railroads would petition the ICC for authority to operate over lines where service was essential and necessary. The ICC could then issue an order granting temporary operating authority. Any losses are to be borne by the railroads seeking permission to operate.

Mr. TAFT. That is, their revenues and their losses, if I understand the Senator correctly. It does not go to the question of what the interest of the stockholders or the creditors of the Rock Island might be with regard to being compensated for what is obviously, if there should be profits, something of some value.

Mr. PEARSON. The partial answer to that, of course, is that the Rock Island Railroad is now in bankruptcy proceedings under section 77.

Mr. TAFT. That is certainly true, but that does not mean—

Mr. PEARSON. Where the court has the authority not only to protect the interests of the creditors, but of all interested parties.

Mr. HARTKE. Mr. President, let me say to the Senator from Ohio that the situation is such that where the Rock Island is concerned, it would be impossible for it to successfully claim any right to reimbursement for usage of its track or other facilities.

Mr. TAFT. I agree, but it seems to me that if this is something of value that is being taken in this situation, and it is of some value because of the question of profit or loss in it, and there is some property there which ultimately would have to go to creditors for the Rock Island, I wonder if the trustee in bankruptcy would not have the obligation to bring a lawsuit to test this particular piece of legislation if we do not take care of this problem and compensate the Rock Island. What remains of the Rock Island and the various holdings in it for the use of the services of the line?

Mr. HARTKE. Let me say there are a number of things in this bill that are not as protective or generous as they could be, but I do not believe it would be subject to a successful lawsuit. In the first place, there is a limitation to the initial order of 180 days, to begin with. That is one provision.

If the Senator would read on page 8 of the report, if the Senator has that print



before him, if he will look down there, it is an initial period for not to exceed 180 days. It must be found that grant authority might result in destruction or injury to the property for them to go ahead and the operation; also if the Senator would read down to the next line:

"... if it shall appear that failure to grant such temporary approval may result in destruction or injury to such railroad properties or in a substantial limitation upon their future usefulness in the performance of adequate and continuous service to the public."

I do not know how one could draw it any more clearly. As far as Rock Island is concerned, they are in a position where a service which is necessary to the public would be continued; that the continuation of that service would be for a limited period of time, and that it would not result in the reduction of the usefulness of that property for the future.

Mr. TAFT. I understand that. But it still does not seem to me to answer the question of service having some value that it does have, and they would be interested in it. It is true it has a value. If you are going to take it away for 180 days, if you take a house away from somebody for 180 days, it is depriving him of property without due process of law.

Mr. PEARSON. May I say to the Senator the petitions which would come forward under this particular provision would be filed in anticipation of cessation of the service involved. The railroad not only is in bankruptcy but is about to shut down its operations.

In addition to that, the ICC, in the issuance of its orders, can attach such conditions as it deems necessary. They might very well do that in the face of any sort of a constitutional question.

Mr. TAFT. Does the Senator think they could require the payment before the service?

Mr. PEARSON. Yes, the bill provides for the administration of terms and conditions.

Mr. HARTKE. Let me also say that it has repeatedly been held in situations of this kind that the requirement of public convenience and necessity, the requirement for public service there, carries with it certain obligations, and one of the obligations is to the public itself. When a carrier is relieved of that obligation, which under normal circumstances it would be required to perform, it is not only an advantage to them but also to the stockholders of the railroad, even though it is in reorganization. Of course, when they are in reorganization they are under the jurisdiction of the court to begin with.

This is a case of very limited application. What we are saying is it is very limited but, at the same time, it is a very specific case we are addressing ourselves to, and that is the immediate question of the Rock Island Railroad. It is not one which is going to be unique, in my judgment.

Mr. TAFT. If the Senator will yield further, there is no question, I take it, that the Rock Island or the trustee in

bankruptcy for the Rock Island actually owns the right-of-way involved.

Mr. HARTKE. Yes, they own it; and they have an obligation to use it, and that obligation, if it is not fulfilled, then there is an obligation to permit someone else to provide for that service.

Mr. TAFT. But the Senator does agree that the ICC, in arranging and approving the use of the track by others, can order compensation to the Rock Island if they find it necessary.

Mr. PEARSON. I might say to the Senator that the law already on the books today, section 1(16) (b) of the Interstate Commerce Act, says that the ICC has the authority when there is a cessation of service to order other railroads to provide that service, and if it does so the Federal Government must reimburse directed carriers to the extent that directed service does not result in a reasonable profit. That comes out of the Federal Treasury.

This is an additional provision which is voluntary in nature, which is not meant—I want to emphasize—to implement the merger plan which has been developed after some 12 years of study, but it provides that the carrier applying for temporary authority would bear any losses.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PEARSON. Yes; I yield to the Senator.

Mr. MANSFIELD. Mr. President, I feel somewhat like the Senator from Nebraska (Mr. CURTIS) and the Senator from Ohio (Mr. TAFT) about the ICC. It seems as if every time a railroad which crosses the State of Montana applies to the ICC for a rate increase, it is automatically granted, and it is granted in a hurry.

I introduced a bill some years ago—not too many years ago—to abolish the ICC because it is not only the rate structures which they increase all the time, but it is also the lack of boxcars to take care of our wheat and other commodity shipments from the State of Montana east and west.

I believe I read in the newspaper the other day that the trustees in bankruptcy of the Penn Central got pretty hefty raises in their pay; is that true?

Mr. PEARSON. I think that is correct.

Mr. MANSFIELD. Whereas on the Rock Island there have been firings and reductions in pay.

Mr. PEARSON. The Senator is correct.

Mr. MANSFIELD. Now, on page 8 it states under "Estimated Cost of the Legislation":

The administration of this act will entail no appreciable additional cost.

Can the Senator inform the Senate what he means by no appreciable additional costs in the figures?

Mr. PEARSON. The whole thrust of the bill is to provide service at no additional cost to the Federal Government, I would assume that that language was put in there because there might be additional costs in the administration in the ICC itself.

Mr. MANSFIELD. In the ICC?

Mr. PEARSON. In the ICC itself.

Mr. MANSFIELD. How many commissioners does the ICC have and how big a staff does it have? Eleven commissioners. I think it might be well if that could be furnished for the RECORD. It is a big old outfit. It has a lot of clout. It has helped to create a bureaucracy which, I am sure, has not shrunk with the years any more than any other Government bureaucracy.

Mr. PEARSON. If the Senator will yield, I am told the estimated number of the staff of the ICC is in the range of 2,000.

Mr. MANSFIELD. 2,000.

Now, S. 917 is:

A bill to amend the Interstate Commerce Act to authorize the Interstate Commerce Commission to grant temporary operating authority to a carrier by railroad pending final determination by the Commission.

What is the Commission's final determination going to be? Does the Senator have any idea?

Mr. PEARSON. The final determination of the reorganization of the railroad itself.

Mr. HARTKE. Let me make two points on that, if the Senator will yield.

Mr. PEARSON. I yield.

Mr. HARTKE. First, a railroad. It can be renewed by the commission under certain conditions. But these railroads are in reorganization, which means, very simply, under chapter 77 of the bankruptcy law that they are being administered by trustees under the jurisdiction of the court.

The ultimate determination of that, certainly, is not going to be made by the Interstate Commerce Commission. The ultimate decision is going to be made within the framework of the court, or other than that, within the framework, hopefully, of some type of legislative procedure which we can come forward within the future.

But as far as the Rock Island is concerned at this moment, that provision in the title of the act means, very simply, this is temporary authority granted by the Interstate Commerce Commission within the framework of the overall jurisdiction of the reorganization court.

Mr. MANSFIELD. I thank the Senator.

Mr. HARTKE. Let me point out one other thing. I doubt whether there would be any cost whatsoever under this bill. I really cannot see it, but I think rather than have a flat statement that there would be no cost whatsoever, it was our judgment if there was some additional administrative cost—such as sending people out there to do the work, or something of that kind which could not be performed under our procedures—would be providing some protection. There is no anticipation of any additional cost.

Let me say one thing to the Senator from Ohio about the constitutional and legal question. Under the cases and under the testing of the constitutionality of the Regional Reorganization Act, I think this matter has been really thoroughly litigated. I do not believe it is open to question whatsoever.

Mr. TAFT. I thank the Senator for his comments.

Mr. HARTKE. Let me make one fur-

ther comment. There is always the provisions of the Tucker Act. If there has been some undue taking under the due process clause, that always is available.

But let me say, I do not think it would be available under this legislation. I think it is available, but I do not think it would apply.

Mr. TAFT. It would not apply because the Senator feels if compensation is due, the ICC—

Mr. HARTKE. That is right. I think Senator PEARSON put his finger on that. But no compensation is justified.

This authority is already contained in section 2 of the Interstate Commerce Act in regard to motor carriers. It is not new in that regard.

Mr. TAFT. The motor carriers run on the public highways, not on the right-of-way run by the trustee in bankruptcy.

Mr. HARTKE. It is basically the same thing. They receive their certificate of public convenience and necessity. They receive their certificate and authorization to go over these routes and that certificate has with it an obligation of performance.

Mr. TAFT. That is correct.

Mr. HARTKE. And with that obligation in performance, when they cease to perform that service, that in and of itself—

Mr. TAFT. But the trustee in bankruptcy of the Rock Island does not own his right-of-way.

Mr. HARTKE. The trustee in bankruptcy—

Mr. TAFT. He may to operate, but not on the right-of-way.

Mr. HARTKE. He owns the right-of-way and also to use that right-of-way, but when he fails in that performance he has forfeited his rights. In any case, they are losing money.

Mr. TAFT. I will not press the amendment at this time, but I have read the language of the act. I think the implications of it are to the contrary. Perhaps by legislative history here, we have established legislative history to say the ICC does have authority to pay compensation if required, but I do not read the language that way.

In fact, the prior clause relating to protecting the fair and equitable arrangement, protect the interests of the railroad employees, would seem to imply to me, perhaps, there is not anybody else that—

Mr. PEARSON. May I respond to the Senator by saying that I am not certain that the language was drawn at the time to anticipate the issue that the Senator has properly raised, but I think there is authority there, and will say so in relation to the legislative history, that that kind of condition could be implied and enforced by the ICC in granting the petition, or that, as the Senator from Indiana said, the Tucker Act is still there to compensate carriers.

Mr. TAFT. I thank the Senator for that remark. I think that does pretty clearly establish legislative history.

Mr. PEARSON. Will the Senator yield for a second?

The PRESIDING OFFICER (Mr. HARTKE). The time of the Senator from Kansas has expired.

Mr. HARTKE. I yield the Senator additional time.

Mr. PEARSON. I thank the Senator from Indiana.

Mr. HARTKE. Mr. President, I have no further comments to make and I am ready for the third reading of the bill.

Mr. DOLE. Will the Senator yield

Mr. HARTKE. Yes.

Mr. DOLE. Mr. President, although I have no particularly strenuous objection to this bill—and in fact recognize there may come a time when the authority it provides could be useful—I question just how necessary it really is in dealing with the immediate problems involving the Rock Island Railroad.

As originally conceived, that is, S. 917 sought to permit what would amount to implementation of a temporary merger arrangement between two willing carriers. Specifically, it would have allowed principally the Union Pacific—through mandate of the ICC—to proceed with its operation of Rock Island routes pending final formal approval of a consolidation between the two lines.

Now, however, Union Pacific has disaffirmed its merger intent and presumably would not be agreeable to taking over Rock Island services on that basis. Moreover, the Rock Island's own bargaining position is at best clouded by its section 77 reorganization status.

I am a little concerned, therefore, that until Rock Island's ultimate destiny can be determined, this legislation may further complicate and confuse matters. There might even be a serious constitutional problem arising if, for example, another carrier who desires a "piece of the Rock" makes the designated application to the ICC who—in all its wisdom—determines that the "substantial destruction" or "future usefulness" requirements have been met with respect to a part of the Rock Island properties.

Of course, we are supposed to assume that this bill contemplates a partial shutdown or discontinuation of essential services—but it does not, after all, say that. Accordingly, we could fully expect—in the case of an ICC finding with which the Rock Island or a carrier in similar circumstances does not acquiesce—the authority provided by S. 917 to be challenged in Court.

While I am not inclined to vote against this measure in the event a rollcall is taken, I really believe we could better concentrate our efforts on other proposals—such as that introduced with my cosponsorship by the distinguished Senators from Oklahoma and Arkansas (Mr. BARTLETT and Mr. McCLELLAN). I refer to S. 1306, which would go a long way towards stabilizing the Rock Island situation until a longer-range solution can be worked out.

The PRESIDING OFFICER. The clerk will report the first committee amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

# COMMITTEE AMENDMENTS

On page 1, beginning on line 8, strike out the following:

"(g) Pending the determination of an application filed with the Commission for approval of a consolidation or merger of the properties of two or more carriers by railroad; or of a purchase, lease, acquisition of control, or contract to operate the properties of one or more carriers by railroad; or of acquisition by a carrier by railroad of trackage rights over, or joint ownership in or joint use of any railroad line or lines owned or operated by any other such carrier, and terminals incident thereto,"

And insert in lieu thereof:

"Upon application by a carrier by railroad";

On page 2, in line 9, following the word "Grant", insert the words "such carrier"; in line 10, following the words "180 days," strike the words "of the operation of" and insert the words "to operate"; beginning in line 11, following the words "railroad properties" strike out the words "or property rights sought to be acquired by the party or parties proposing in such pending application to acquire such properties or property rights," and insert the words "owned or operated by another carrier by railroad,"; beginning in line 17, following the word "or" strike the words "property rights sought to be acquired, or to interfere substantially with" and insert the words "in a substantial limitation upon"; beginning in line 20, following the word "public" strike the period and insert the following:

"Provided, That as a condition of its approval of any such application under this subparagraph, the Commission shall require a fair and equitable arrangement to protect the interests of the railroad employees affected,"

On page 3, beginning in line 2, following the word "warrant" strike the period and insert the following "including but not limited to terms and conditions providing for modification or revocation of such order,"; beginning in line 4, strike out the words "Extension of such temporary authority beyond 180 days may be determined by the Commission" and insert the words "The Commission may extend such temporary authority beyond 180 days"; beginning in line 7, following the word "or" strike out the words "it may determine the need therefor"; beginning in line 8, following the word "initiative," insert the following:

"Every 60 days, the Commission shall report to the Congress upon the effect of all such orders issued under this subparagraph in effect during such 60-day period on competition between carriers by railroad subject to this part: *Provided*, That such a report shall not be required for any such period during which no such orders are in effect,"

Beginning on line 15, insert a new section as follows:

"Sec. 3. (a) Section 1(16)(b)(A) of the Interstate Commerce Act (49 U.S.C. 1(16)(b)(A)) is amended to read as follows:

"(A) Such direction shall be effective for no longer than 60 days unless extended or renewed by the Commission for cause shown for an additional period or periods. Such additional period or periods shall not exceed in the aggregate 180 days. At the time of any such extension or renewal, the Commission may alter or amend its direction with respect to such carrier by substituting an-



other carrier or carriers for a directed carrier, or otherwise."

(b) Section 1(16)(b)(E) of the Interstate Commerce Act (49 U.S.C. 1(16)(b)(E)) is amended by striking "90 days after expiration of such order" and inserting in lieu thereof "30 days after the last day of each calendar month during which such costs are incurred";

So as to make the bill read:

*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 "Railroad Temporary Operating Authority Act".*

SEC. 2. Section 5(2) of the Interstate Commerce Act (49 U.S.C. 5(2)) is amended by adding at the end thereof the following new subsection:

Upon application by a carrier by railroad the Commission may, in its discretion, and without hearing, grant such carrier temporary approval, for a period not exceeding 180 days, to operate all or part of the railroad properties owned or operated by another carrier by railroad, if it shall appear that failure to grant such temporary approval may result in destruction of or injury to such railroad properties in a substantial limitation upon their future usefulness in the performance of adequate and continuous service to the public: *Provided*, That as a condition of its approval of any such application under this subparagraph, the Commission shall require a fair and equitable arrangement to protect the interests of the railroad employees affected. The Commission may, in its discretion, attach to any order granting such temporary approval such terms and conditions as in its judgment the circumstances surrounding such temporary approval shall warrant, including but not limited to terms and conditions providing for modification or revocation of such order. The Commission may extend such temporary authority beyond 180 days upon written request by an interested party, or upon its own initiative. Every 60 days, the Commission shall report to the Congress upon the effect of all such orders issued under this subparagraph in effect during such 60-day period on competition between carriers by railroad subject to this part: *Provided*, That such a report shall not be required for any such period during which no such orders are in effect.

SEC. 3. (a) Section 1(16)(b)(A) of the Interstate Commerce Act (49 U.S.C. 1(16)(b)(A)) is amended to read as follows:

"(A) Such direction shall be effective for no longer than 60 days unless extended or renewed by the Commission for cause shown for an additional designated period or periods. Such additional period or periods shall not exceed in the aggregate 180 days. At the time of any such extension or renewal, the Commission may alter or amend its direction with respect to such carrier by substituting another carrier or carriers for a directed carrier, or otherwise."

(b) Section 1(16)(b)(E) of the Interstate Commerce Act (49 U.S.C. 1(16)(b)(E)) is amended by striking "90 days after expiration of such order" and inserting in lieu thereof "30 days after the last day of each calendar month during which such costs are incurred".

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

Mr. WEICKER. Mr. President, the legislation before the Senate for consideration at this time was introduced by the

distinguished ranking minority member of our Committee on Commerce (Mr. PEARSON), for himself, and Senators CLARK, CULVER, HUMPHREY, and MONDALE. It would amend the Interstate Commerce Act so as to authorize the Interstate Commerce Commission—ICC—to grant temporary operating authority to a carrier by railroad to operate all or part of the railroad properties operated by another carrier by railroad; and, more specifically, it is designed to vest in the ICC the complete authority needed to insure the continuation of essential rail services in the region served by the Chicago, Rock Island, and Pacific Railroad Co.—Rock Island.

Mr. President, the Rock Island in recent weeks entered reorganization under section 77 of the Bankruptcy Act. It has a severe cash shortage problem which might at any time necessitate cessation of its rail service. Such a cessation of rail service by the Rock Island would result in significant economic hardship to the affected region. The Rock Island operates more than 7,000 miles of rail lines in 13 Midwestern States and employs approximately 10,000 people. While several other railroads provide competitive service in the Rock Island's territory, the Rock Island is the only carrier available to a substantial number—as much as 30 percent—of the shippers in the affected region. For example, 180 grain elevators in Kansas depend exclusively for rail service on the Rock Island. The Federal Energy Administration estimates that alternative motor carrier service for these elevators could require 669,000 movements per year and could consume as much as 22.2 million gallons of diesel fuel. Thus, continuation of many of the services provided by the Rock Island is essential to the maintenance of the economy in the affected region.

Mr. President, I am well aware of the reluctance of many members of this body to extend additional financial assistance to marginal railroads. Certainly, that issue has been fully aired in this chamber during the deliberations on the Regional Rail Reorganization Act of 1973 and amendments thereto. However, Mr. President, S. 917 would not provide any financial assistance to the Rock Island or any other railroad. Rather, it would provide the ICC with the authority necessary to continue Rock Island services without such assistance in instances when other railroads are willing to operate Rock Island properties on a temporary basis.

Mr. President, I find myself once again taking the floor to manage an emergency bill to address the impending collapse of a major American railroad. Once again the Federal Government is stepping into the breach to provide for continuation of vital rail services to communities in the several States.

Mr. President, as I have repeated time and again, it is becoming increasingly difficult for me to sponsor and sell stop-gap measures to prop up our deteriorating railroads. Earlier this year, it was a bailout for the bankrupt Penn Central; today we propose to allow the ICC to grant temporary operating authority to other rail carriers to operate the proper-

ties of the Rock Island; tomorrow, who knows what patchwork scheme will be advanced to save rail service in one part or another of the country?

Mr. President, I confess my frustration with the pending legislation. On the one hand, it embodies a reasonable interim solution in situations when a railroad is unable to continue service by expanding the options available to the ICC before the actual crisis situation. On the other hand, little in the way of a cure, let alone a proper diagnosis, of the sickness that is sapping the life out of the railroad industry has been forthcoming.

Therefore, I call on my colleagues to focus on those initial efforts by the U.S. Railway Association, the Rail Services Planning Office, the Department of Transportation, and others, to develop a comprehensive plan to put the Nation's railroads on the right track as a viable, competitive, and energy-efficient transportation mode for America's future.

The Congress has acted to resolve the railroad problem in the Northeast region of our country, and I believe it should also take action with regard to similar problems in the Midwest and other regions. Therefore, pending a comprehensive resolution of the problems confronting all of our Nation's railroads, I urge the favorable consideration by the Senate of the pending bill, S. 917, as an appropriate response to the critical situation confronting the region served by the Rock Island.

Mr. BARTLETT. Mr. President, when S. 917 was originally introduced in the Senate on March 3, 1975, I had asked that my name be added as a cosponsor to that bill. It was my opinion that the best solution to the Rock Island crisis was to allow the railroad industry itself to solve its problems by expediting a long-sought merger between the Union Pacific Railroad Co. and the Chicago, Rock Island & Pacific Railroad Co.

The Union Pacific has since indicated that it is no longer interested in a merger, and the Rock Island filed for reorganization in bankruptcy on March 17. Therefore, S. 917 no longer offers the solution for which it was originally introduced.

S. 917 places discretionary power in the Interstate Commerce Commission—ICC—to order the temporary operation of one railroad by another railroad, "if it shall appear that failure to grant such temporary approval may result in the destruction of or injury to such railroad properties or in a substantial limitation upon their future usefulness in the performance of adequate and continuous service to the public."

I have serious reservations about the ability of the ICC to carry out the new discretionary powers it would have under this bill in light of its ability to carry out its responsibilities under the Interstate Commerce Act as it is now written and under which it has operated for many years.

My distinguished colleague from Ohio, Senator TAFT, has raised serious questions regarding the constitutionality of this bill and I share those concerns also.

This bill does not help the Rock Island. It does potentially contain provisions

that could be harmful to other railroads that are in a financially unstable condition.

I am deeply concerned also that the Commerce Committee has suggested in its report—S.R. 62—on page 7 that:

Future action may include the need for reorganization of the railroads in the Midwest under a plan similar to that provided for the railroads in the Northeast and Midwest in the Regional Rail Reorganization Act of 1973.

If the railroad reorganization of the Northeast is an example of a solution for the problem of the railroads of the Midwest, I oppose such an approach, just as I oppose this bill.

Mr. President, I ask unanimous consent that my name be withdrawn from S. 917 as a cosponsor.

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

Does the Senator from Indiana yield back his time?

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

The PRESIDING OFFICER. On whose time?

Mr. HARTKE. On my time.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. HARTKE. Mr. President, I yield back the remainder of my time.

Mr. PEARSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 917) was passed.

The title was amended so as to read:

A bill to amend the Interstate Commerce Act to authorize the Interstate Commerce Commission to grant temporary operating authority to a carrier by railroad and for other purposes.

Mr. HARTKE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARTKE. Mr. President, I ask unanimous consent that the bill (S. 917) be printed in the RECORD as passed, and that copies be printed for the use of the Senate.

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

The bill (S. 917) as passed, reads as follows:

#### S. 917

To amend the Interstate Commerce Act to authorize the Interstate Commerce Commission to grant temporary operating authority to a carrier by railroad, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Railroad Temporary Operating Authority Act".

SEC. 2. Section 5(2) of the Interstate Commerce Act (49 U.S.C. 5(2)) is amended by adding at the end thereof the following new subsection:

"(g) Upon application by a carrier by railroad the Commission may, in its discretion, and without hearing, grant such carrier temporary approval, for a period not exceeding 180 days, to operate all or part of the railroad properties owned or operated by another carrier by railroad, if it shall appear that failure to grant such temporary approval may result in destruction of or injury to such railroad properties or in a substantial limitation upon their future usefulness in the performance of adequate and continuous service to the public: *Provided*, That as a condition of its approval of any such application under this subparagraph, the Commission shall require a fair and equitable arrangement to protect the interests of the railroad employees affected. The Commission may, in its discretion, attach to any order granting such temporary approval such terms and conditions as in its judgment the circumstances surrounding such temporary approval shall warrant, including but not limited to terms and conditions providing for modification or revocation of such order. The Commission may extend such temporary authority beyond 180 days upon written request by any interested party, or upon its own initiative. Every 60 days, the Commission shall report to the Congress upon the effect of all such orders issued under this subparagraph in effect during such 60-day period on competition between carriers by railroad subject to this part: *Provided*, That such a report shall not be required for any such period during which no such orders are in effect."

SEC. 3. (a) Section 1(16)(b)(A) of the Interstate Commerce Act (49 U.S.C. 1(16)(b)(A)) is amended to read as follows:

"(A) Such direction shall be effective for no longer than 60 days unless extended or renewed by the Commission for cause shown for an additional designated period or periods. Such additional period or periods shall not exceed in the aggregate 180 days. At the time of any such extension or renewal, the Commission may alter or amend its direction with respect to such carrier by substituting another carrier or carriers for a directed carrier, or otherwise."

(b) Section 1(16)(b)(E) of the Interstate Commerce Act (49 U.S.C. 1(16)(b)(E)) is amended by striking "90 days after expiration of such order" and inserting in lieu thereof "30 days after the last day of each calendar month during which such costs are incurred".

#### ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 11 a.m. tomorrow.

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

#### PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will meet tomorrow at 11 a.m., following a recess. After the two leaders or their designees have been recognized under the standing order, Mr. TAFT will be recognized for not to exceed 15 minutes. Mr. JAVITS will then be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business of not to exceed 30 minutes, with Senators permitted to speak not in excess of 5 minutes each during that period.

At the conclusion of routine morning business, the Senate will proceed to the consideration of Senate Concurrent

Resolution 31, relating to a determination of the congressional budget of the U.S. Government.

#### RECESS

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until the hour of 11 a.m. tomorrow.

The motion was agreed to; and at 2:53 p.m. the Senate recessed until Tuesday, April 29, 1975, at 11 a.m.

#### NOMINATIONS

Executive nominations received by the Senate April 28, 1975:

##### LEGAL SERVICES CORPORATION

The following-named persons to be members of the Board of Directors of the Legal Services Corporation for the terms indicated (new positions).

For a term of 2 years commencing upon the date of the first meeting of the Board: Marshall Jordan Breger, of Texas. William J. Janklow, of South Dakota. William L. Knecht, of California. Rodolfo Montejano, of California. Samuel D. Thurman, of Utah.

For a term of 3 years commencing upon the date of the first meeting of the Board: Roger C. Cramton, of New York.

Edith Green, of Oregon. Robert J. Kutak, of Nebraska. Revius O. Ortique, Jr., of Louisiana. Glee S. Smith, Jr., of Kansas. Glenn C. Stophel, of Tennessee.

##### NATIONAL TRANSPORTATION SAFETY BOARD

Isabel A. Burgess, of Arizona, to be a member of the National Transportation Safety Board for the term expiring December 31, 1979 (reappointment).

##### IN THE NAVY

The following-named officers of the Navy for permanent promotion to the grade of lieutenant commander.

##### LINE

##### Lieutenant commander

Abbey, Donald Lewis  
Abbey, James Robert  
Abel, Warren Robert  
Abrams, Steven Selby  
Adair, Roy Ernest, Jr.  
Adams, Charles Edward  
Adams, Chester Anthony  
Adams, James Winston  
Adams, John Robert  
Adams, William Victor, Jr.  
Addicott, Raymond Walter  
Afdahl, Darwin Frank  
Agnew, Alfred Howard  
Agnew, James Robert  
Ahern, David Gaynor  
Ahlborn, Edward Richard, Jr.  
Albaugh, Cleve Willis  
Albright, Richard Charles  
Albright Robert Ernest  
Alcorn, Wendell Reed  
Allen, Henry Carter  
Allen, John E.  
Allin, John Wilfrid  
Allison, William Stuart, III  
Allwine Robert Anderson  
Althouse Thomas Stephenson  
Amundsen, Richard Oliver, Jr.  
Anawalt Richard Arthur  
Andersen, Franklin Dayle  
Andersen Oliver Lorrain  
Anderson, Gerald Lee  
Anderson, Raymond Charles  
Anderson, Richard Arnold  
Anderson, Richard Glenn  
Anderssen, Arthur Harold



Andrews, James Randolph  
 Andrews, Larry Joe  
 Andrews, Michael Keeney  
 Andridge, Phillip Carl  
 Anselmo, Phillip Shepard  
 Anson, Robert, Jr.  
 Antrim, Benjamin Franklin, III  
 Arnest, Charles Sherman  
 Arnold, David Phillips  
 Arnold, William Knowles, Jr.  
 Arnold, William Tamm  
 Arthur, John Robert, Jr.  
 Astor, Lawrence Ira  
 Aubuchon, Robert George  
 Aucella, John Paul  
 Auer, James Edward  
 Austin, Donald Gene  
 Austin, Leon  
 Austin, Michael Gaylord  
 Avery, Donald William, Jr.  
 Avery, Robert Young  
 Babb, Dewey Eugene  
 Baffer, Roger Alexander  
 Bagby, James Lovelace, Jr.  
 Bailey, Howard Lindy  
 Bailey, James Lindsey  
 Bailey, Larry Wayne  
 Bailey, Larry Weldon  
 Baird, Don Wilson  
 Baker, Brent  
 Baker, David James  
 Baker, John Lee  
 Baker, John Sherman  
 Baker, Milton Sumner, Jr.  
 Baker, Willard David  
 Baldwin, John Milton, III  
 Baldwin, Richard Charles  
 Balian, Alexander George  
 Ball, Harry Francis, Jr.  
 Ballard, Don Eugene  
 Baltutis, John Stanley  
 Balut, Stephen John  
 Barbour, Richard Elwood  
 Bard, Albert Eugene  
 Barker, Ross Daniel  
 Barnes, Harlan Leslie  
 Barnes, James Clayton, Jr.  
 Barnett, William Richard  
 Barney, William Clifford  
 Barnicle, Paul Edward  
 Baron, Michael  
 Barrow, Edward M., Jr.  
 Barrows, Blair  
 Barthold, Todd Alan  
 Bartlett, Robert Charles  
 Bartol, John Hone, Jr.  
 Bartolomei, Marino James  
 Barton, William Robert  
 Bassett, Larry Allen  
 Bates, Allen Webster, Jr.  
 Bates, Robert Carroll  
 Batie, Howard Franklin  
 Batti, Donald Edward  
 Batzel, Thomas Joseph  
 Bauer, Wayne Edmund  
 Baumhofer, William James  
 Beal, Richard Frank  
 Beall, David Albert  
 Bealle, William Edgar  
 Bean, Charles Dunbar  
 Beasley, Fenn Coffin  
 Beaton, John Hudson  
 Becker, Dennis Edward  
 Beckham, Robert Frederick  
 Beedle, Ralph Eugene  
 Begley, Jerry Noonan  
 Behrend, Robert Michael  
 Beland, Conrad Lucien  
 Belanger, Raymond Louis  
 Bell, Corwin Allan  
 Bell, Denis Joseph William  
 Bell, Merlin Gene  
 Bellingham, Herbert John  
 Bellis, James Richard  
 Belmore, Richard Kenneth  
 Belton, David Calvin  
 Benepe, John Wesley  
 Bennett, Paul Lawrence  
 Bennett, Richard Allan  
 Bennitt, Brent Martin  
 Berg, John Stoddard

Berigan, Francis Michael  
 Berkey, Thomas Joe  
 Berry, Billy W.  
 Berry, John David  
 Berry, Russell Elliott, Jr.  
 Betzner, Hugh William, Jr.  
 Beumer, Theodore Herman  
 Beyer, Dean Harder  
 Beyman, David Earl  
 Bezrutch, Rudolph Art  
 Bierig, Frederick Arthur  
 Bilbrey, Harlan Kenneth  
 Billingsley, Christopher  
 Bisbing, Raymond Harvey  
 Bishop, Joseph Brooke  
 Bissonnette, Laurence Arthur  
 Bivins, Howard Vernon  
 Bjorkner, Arthur Charles  
 Blakeley, William Robert  
 Bledsoe, John Francis  
 Blesch, Jerry Morgan  
 Blevins, Ladelle F.  
 Blumberg, Lawrence Bertram  
 Blunden, Alec Reginald  
 Bogard, Thomas Hugh  
 Boggess, Randolph Cowan  
 Bohley, Carl Martin  
 Bohn, Charles Joseph, Jr.  
 Bole, Robert Fulton, Jr.  
 Bolka, David Frank  
 Bonds, John Bledsoe  
 Boone, George Junior  
 Borghoff, Francis A.  
 Boss, Ronald Arthur  
 Boston, Michael Rhodes  
 Boswell, Dale Eugene  
 Boughton, Louis Charles  
 Bowers, Fred Forest  
 Bowes, William Charles  
 Bowman, Terry L.  
 Boyce, Robert William  
 Boyd, John Theodore  
 Boydston, James Laymance  
 Boyer, Philip Albert, III  
 Bradberry, Brent Alan  
 Bradshaw, Wilton Drexel  
 Braham, Donald Francis  
 Branch, Allen Drue  
 Brauer, Gordon Richard  
 Brayton, Gerald Ray  
 Brennan, Michael John  
 Brennan, William John  
 Brickett, John Francis  
 Bright, Calvin Fred  
 Brink, James Andrew  
 Brittingham, Edward Michael  
 Brodehl, Richard Brian  
 Brokaw, Charles Roger  
 Bronson, Marshall Wilkes  
 Brough, Robert Franklin  
 Brown, Carroll Dean  
 Brown, Charles Franklin  
 Brown, David Charles  
 Brown, Donald Hugh  
 Brown, Emory Worth, Jr.  
 Brown, George Elliott, Jr.  
 Brown, Hal Gibbs  
 Brown, Joseph Richard  
 Brown, Joseph Zachariah  
 Brown, Noel Warren  
 Brown, Ronald Lee  
 Brown, William Bruce  
 Browne, Joseph Majette  
 Browning, Robert Eugene  
 Brucato, Philip Edward  
 Brun, Charles Robert  
 Brunelle, William Thomas  
 Brunhaver, Richard Marvin  
 Brunner, Maurice Thomas  
 Bryant, Herbert Victor  
 Bryant, James Culver  
 Bryant, William Harry  
 Buchans, James Curtis  
 Buck, Arthur Edwin, Jr.  
 Buckley, Peter Patrick  
 Buckley, Thomas Daniel  
 Buckley, William Clayton  
 Buell, Kenneth Richard  
 Buescher, Stephen Meredith  
 Bugg, William Edmunds  
 Bunn, Ronald Roy

Burch, Othney Phelps  
 Burcham, Devirda Houston, II  
 Burges, Rufus Thurman, Jr.  
 Burgess, Andrew Lynn, Jr.  
 Burgett, Bernard Edward  
 Burke, Gary Leigh  
 Burke, Kevin James  
 Burke, Michael Edward  
 Burns, Robert Louis  
 Burrell, Donald Overt, III  
 Burritt, James Graham  
 Burrows, John Shober, III  
 Burt, John Alan  
 Burtram, Roderick  
 Bussey, Laurence Throckmort  
 Bustamante, Charles Joseph  
 Butler, Francis Wayne  
 Butler, John Harrison  
 Byers, John Arthur  
 Byrnes, David Thomas  
 Byrnes, Henry Francis, Jr.  
 Cablk, Steven Richard  
 Cacchione, David Americo  
 Cahill, Allen Lewis  
 Calande, John Joseph, Jr.  
 Calhoun, Ronald Joel  
 Callahan, Paul Lawrence  
 Calvano, Charles Natale  
 Camp, Norman Thomas  
 Campbell, Guy Reeder, III  
 Canaday, Carlton Weaver  
 Canady, Paul Allen  
 Canepa, Louis Robert  
 Capewell, John, Jr.  
 Capie, Donald James  
 Carder, William Hunter  
 Carl, Lester William  
 Carlmark, Jon William  
 Carlson, John Algot  
 Carman, Jesse Logan  
 Carney, James Allen  
 Carpenter, Allan Russell  
 Carroll, Hugh Edward, II  
 Carson, Joe Warren  
 Carswell, Herschell Ronald  
 Carter, Clyde Louis  
 Carter, James O'Neill  
 Cash, Roy, Jr.  
 Cashin, Joseph William, Jr.  
 Cassidy, Tom Kenneth  
 Cassiman, Paul Arthur  
 Cerstvik, John Theodore  
 Chadwick, Stephen Kent  
 Chafin, Thomas Lee  
 Challender, Jack Lee  
 Chapman, Austin Eugene  
 Chappell, Stephen Francis  
 Charette, Alfred Arthur, Jr.  
 Charles, David Montgomery  
 Chasteen, Robert Wayne  
 Chauncey, Gregory Arthur  
 Chesbrough, Geoffrey Lynn  
 Chesser, Marvin Brooks, Jr.  
 Chester, James B.  
 Christensen, Clyde Vernon  
 Christensen, Edward Louis  
 Christensen, George Ainswor  
 Churbuck, James Forrest  
 Cima, Frank John  
 Ciszewski, Robert Allen  
 Clair, Robert Arthur  
 Clarey, Stephen Scott  
 Clark, Arthur  
 Clark, Arthur Doron  
 Clark, David George  
 Clark, Hiram Ward, Jr.  
 Clark, Howard Bowman  
 Clark, Vady Robert  
 Clark, Walter Thomas  
 Clark, William Thorkel  
 Clarke, Edward Joseph  
 Clason, Aryl Benton  
 Cleary, Francis Paul  
 Clemenger, John William  
 Cline, Robert Neil  
 Clow, Wallace Gilbert, Jr.  
 Coates, Thomas Ashley  
 Cochran, Frederick Franklin  
 Cockrell, Milford Norman, Jr.  
 Coffey, John Andrew  
 Cohen, Steven Robert

Colavito, Thomas Joseph  
 Cole, Legrande Ogden, Jr.  
 Coleman, Jon Suber  
 Coleman, Thomas Milton  
 Collins, Richard Xavier  
 Collins, William Gerard, Jr.  
 Collman, Charles Bonham  
 Colthurst, Wallace R.  
 Colucci, Anthony Robert  
 Comfort, Anthony Jerome  
 Compton, Andrew Jerome  
 Comstock, George Alfred  
 Conley, Dennis Ronald  
 Connolly, Michael Brian  
 Conrey, Thomas Rolland  
 Conway, Frank Mark III  
 Cook, Bruce Conrad  
 Cook, Douglas Watkins  
 Cook, John Francis, Jr.  
 Cook, Raymond Lee  
 Cooke, Oren Boyd  
 Cooper, George Thomas  
 Copeland, Aaron Clifford  
 Corcoran, Joseph Francis  
 Corgan, Michael Thomas  
 Corn, Robert Holt  
 Cornia, Howard  
 Coshaw, George Horace II  
 Costelli, John Patrick II  
 Coulter, William Laurence  
 Coupe, Jay, Jr.  
 Cousins, Belmont William  
 Covey, Robert Wesley  
 Covington, William Ellerbe  
 Coward, Asbury IV  
 Cowart, John Michael  
 Cox, John Hannan  
 Cox, Landon Greaud, Jr.  
 Cox, Virgil Glenn  
 Craddock, John Raymond  
 Craft, James Harris  
 Craig, Philip Charles  
 Crane, Mark Francis  
 Crawford, Leslie Paul  
 Creighton, Charles Benson  
 Creps, Stephen George  
 Cressy, Peter Hollon  
 Croix, Larry Edmond  
 Croll, Larry Richard  
 Cronin, Michael Paul  
 Crooks, Richard Alan  
 Crooks, Stephen Chapman  
 Cross, Stanley Owen  
 Crossman, Walter Augustine  
 Crow, Robert Lee  
 Crowe, Lucious Brannon  
 Crowley, Edward Joseph  
 Crumly, Jerry MacLean  
 Cullipher, John Oscar  
 Culver, John Bergen III  
 Cummings, Vincent Paul, Jr.  
 Cunha, George Daniel Martin  
 Curran, Lawrence E.  
 Currey, John Michael  
 Currie, Daniel Lee, Jr.  
 Curtin, Andrew James  
 Curtin, Peter Maxime  
 Curtis, Richard Bradford  
 Curtis, Robert Edwin  
 Cybul, Harvey John  
 Dadant, Dennis John  
 Dade, Thomas Brodrick  
 Dahl, Dennis Kay  
 Daigle, Glenn Henri  
 Dalberg, Richard Leo, Jr.  
 Dalton, Clem Edward  
 Daley, Michael James  
 Dalrymple, Edward Kent  
 Dalton, Gerard Holbrook  
 Dalton, Henry Frederick  
 Daly, Edward Lawrence  
 Daniels, James Edward  
 Dannheim, William Taylor  
 Daramus, Nicholas Thomas, Jr.  
 Dau, Frederick W., III  
 Daugherty, Shaun Michael  
 Daughters, Milo Philip, II  
 Davidson, Alan Norton  
 Davidson, Dan Lee  
 Davis, Edward Anthony  
 Davis, Eugene Berkeley

Davis, Gerald, Jr.  
 Davis, Henry Hooper, Jr.  
 Davis, John C.  
 Davis, John Paul, Jr.  
 Davis, Martin Dörner  
 Davis, Milton Edwin, Jr.  
 Davis, Richard Clinton  
 Davis, Robert Lee  
 Davis, Thomas Cahill, Jr.  
 Day, Patrick Arthur  
 Decarli, Wiley Paul  
 Decker, Wilbur Leon  
 Declercq, Keith Laverne  
 Decrona, Donald Allen  
 Deevy, Thomas Joseph  
 Defloria, Joseph George, Jr.  
 Defries, Melton Ellis, Sr.  
 Dehnert, Charles Eugene  
 Dekker, Jon Karel  
 Deklever, Vaughn Gerard  
 Dekshenicks, Vidvuds  
 Delgaizo, Theodore John  
 Demark, Ramon Samuel  
 Demech, Fred Ralph, Jr.  
 Denault, Donald Raymond  
 Denning, William James, III  
 Dennis, James Augustin, Jr.  
 Denson, James Kitchel  
 Denton, William Howard  
 Derf, Tad Arlen  
 Dersham, Dayton Leisle  
 Desrosiers, Richard Albert  
 Deutermann, Peter Thomas  
 Dewey, John Robert  
 Dias, Gerald Freitas  
 Dick, Allen Howard  
 Diehl, Robert Walter Johns  
 Dietz, Gary Conrad  
 Dill, Donald Lloyd  
 Diselrod, John Edwin  
 Ditchey, Robert Louis  
 Ditmore, George Walter, II  
 Dix, Paul Grover  
 Dixon, Douglas Mack  
 Dobberteen, James David  
 Dodd, James Lloyd  
 Dollard, John Anthony  
 Domaloan, Paul  
 Donaldson, William Jay  
 Donahue, Drake Allen  
 Donegan, John Joseph, Jr.  
 Doney, John Harvey, III  
 Donn, Alan Henry  
 Donnelly, John Joseph  
 Donofrio, Anthony Louis  
 Dorman, Craig Emery  
 Dorman, Merrill Herrick  
 Dorsey, Medford Don  
 Doswell, Eugene Varnon  
 Doty, Wells Blakeslee  
 Dougherty, Robert Joseph  
 Downs, Charles Patrick  
 Doyle, Thomas Francis, Jr.  
 Drake, Albert Wayne  
 Drew, James Joseph  
 Driscoll, Kurt Allen  
 Droste, James Bentley  
 Dryden, Victor Duane  
 Dryden, William Thomas  
 Duchock, Charles Jack, Jr.  
 Duda, Daniel Martin  
 Duffield, Carper Paul, Jr.  
 Dufresne, Michael Paul, Jr.  
 Dukat, Frank  
 Duncan, Duane Stewart, Jr.  
 Dunlap, Calvin Ray, III  
 Dunlap, Howard Dewitt  
 Dunn, Anthony Thomas  
 Dunne, Gerald William  
 Dunstan, Richard Alan  
 Dunton, Lewis Warren, III  
 Durham, Dan Wilson  
 Durham, Jere Carlton  
 Durkee, Albert White  
 Earner, William Anthony, Jr.  
 Earnhardt, John Baughn  
 Easley, George Alfred  
 Eckstein, Eric Rockhill  
 Edgar, Peter David  
 Edge, Jacob, II  
 Edleson, Stuart Kaufmann, Jr.

Edmonston, Lee K.  
 Edwards, Joseph William  
 Edwards, L. Vernon, Jr.  
 Efrid, William Alexander  
 Ehret, Howard Charles  
 Elschen, Gerald Nicholas  
 Elssing, Frank Eugene III  
 Elberfeld, Lawrence George  
 Eldred, William Alexander  
 Elkins, Frank Callihan  
 Eller, John Christian  
 Ellis, George Jeremiah  
 Ellis, John Richard  
 Ellis, Richard Hoff  
 Ellis, William Christopher  
 Ellis, Winford Gerald  
 Ellison, William Theodore  
 Ellsworth, Thomas Burpee, Jr.  
 Elmore, Lawrence L.  
 Elrod, Stephen Anthony  
 Emarine, Larry Lee  
 Emerson, Norman Perry  
 Emery, George Williams  
 Endrizzi, Raymond Louis  
 Engman, Lee Mathew  
 Engwell, Darrel Wayne  
 Ennis, Michael Kirby  
 Enriquez, Jose  
 Erlandson, John Lyle, Sr.  
 Esbeck, Leonard John  
 Estell, William Andrew, Jr.  
 Estes, Donald Harold  
 Eubanks, Glen Earl  
 Evans, Irvin Christopher, Jr.  
 Evans, Jimmie Wayne  
 Ewert, Lawrence Edward  
 Falcon, Michael Francis  
 Fant, Robert St. Clair, Jr.  
 Fantin, Jonnie Ronald  
 Farber, Donald Joseph  
 Farley, Robert Theodore  
 Farmer, Michael Arthur  
 Faticoni, John Anthony  
 Feist, Eugene Paul  
 Felps, Lowell Douglas  
 Ferguson, Jerry Edward  
 Ferguson, Thomas Edward  
 Ferranti, Nicholas Anthony  
 Ferrell, John Lester  
 Ferriter, Nicholas Mark  
 Fertig, Lanny Leo  
 Fiedeldey, Joseph Wilfred J.  
 Field, John Burke  
 Fields, James Richard  
 Finch, Parker Thomas, Jr.  
 Finley, John Cain  
 Finn, Edward Stephen  
 Fiori, Mario Peter  
 Firestone, Philip Giles  
 Firnbach, James Donald  
 Fischer, Ernest Collis  
 Fishburn, Charles George  
 Fisher, Gordon Everet, III  
 Fister, George Rodwell  
 Fitrell, Stuart James  
 Fitzgerald, James Richard  
 Fitzgerald, John Allen  
 Fitzgerald, John Edward  
 Flaningam, James Douglas  
 Fleitz, William Vincent, Jr.  
 Fleming, Richard Thomas  
 Fliegel, Robert Aalbu  
 Flint, Lewis Ware  
 Flower, Roger Paul  
 Folsom, John Harold  
 Fontana, James David  
 Ford, Henry, IV  
 Ford, Jack Charles  
 Forster, Robert Douglas  
 Fortney, Doyle Wright  
 Foster, Brent Dean  
 Foust, James Eldridge, III  
 Foy, Basil W., Jr.  
 Francis, William Charles  
 Franz, David  
 Franson, Alvin Laverne  
 Franz, David  
 Franz, Rodney Crane  
 Frazer, Paul David  
 Fredericks, Roy Charles



Fredette, Roger Alme  
 Freeman, Ernest Raymond  
 Freibert, Ralph William  
 French, John C., Jr.  
 French, Thomas Penn, Jr.  
 Frick, Dean Earl  
 Frick, Frederick Mark  
 Friedman, Marcus Velvil  
 Friedrichsen, Lewis Johnson  
 Fritz, Thomas Clifford  
 Fritz, Thomas Wayne  
 Froehlich, Edward William J.  
 Froehlich, Jacob Clare  
 Frost, David Eugene  
 Frost, John Allen  
 Fugard, William Harvey  
 Fulbright, Terrell Woodrow  
 Fuller, John Paul  
 Fuller, Robert Davis  
 Fulton, Stephen Howard  
 Fulton, William James  
 Fulton, William Lawrence, II  
 Furr, Jack Carlton  
 Furry, Richard Paul  
 Futch, George Wiley  
 Gabriel, Thomas Oscar  
 Gabryelski, Richard Marion  
 Gaines, George L.  
 Gaines, William Andrew  
 Gainor, John Wesley, III  
 Galanti, Paul Edward  
 Gallagher, Lawrence Ambrose  
 Gallegos, Joe Rodriguez  
 Gapp, Donald Robert  
 Garmon, Gerald Sutherland  
 Gaston, Mack Charles  
 Gates, Jonathan Hubert  
 Gaudiano, Antonio William  
 Gaul, James Howard  
 Gautier, James Berry  
 Gaylord, Reginald F., Jr.  
 Gee, George Nicholas  
 Geissler, Richard Frank  
 Genung, Edward Noland, Jr.  
 George, Harold Wayne  
 Georgius, David Russell  
 Gerwe, Franklin Henry, Jr.  
 Ghrer, Grady Francis  
 Giannotti, Sterling Maurice  
 Gilchrist, Orville Lee  
 Gill, Gary Edward  
 Gill, James Edward  
 Gill, Russell Carter  
 Gillece, Peter Gerard  
 Gilroy, Vincent J., Jr.  
 Gilson, James Donald  
 Gingras, Peter Southworth  
 Giorgio, Frank Arthur, Jr.  
 Gladwin, Harold Russell  
 Glaes, Roger Burton  
 Glasier, Peter Keith  
 Glass, Arnold Lee  
 Glenn, Danny Elloy  
 Glenn, Walter Lewis, Jr.  
 Glover, Jimmy Neal  
 Glover, William Ferguson H.  
 Gluck, John Milton  
 Gobbel, James Thomas, Jr.  
 Godek, Leonard S.  
 Goebel, David Maxwell  
 Gold, Bennett Alan  
 Goldman, Dan Edgar, Jr.  
 Goldman, Robert Barry  
 Gomez, Luis Vilas  
 Gompfer, James Harold  
 Goodgame, Billy Donald  
 Goodloe, Robert Vannerson, Jr.  
 Goodwin, James Harvey  
 Googins, Bruce Russell  
 Gordon, Hayes Ingersoll  
 Gordon, Richard Scott  
 Gormly, Robert Anthony  
 Goss, Robert Wayne  
 Gottschalk, Gary Ward  
 Gower, Leon Haskell  
 Grabowsky, Theodore Eron  
 Grace, Robert Francis  
 Graf, Karl Rockwell  
 Graff, Russell John  
 Graham, Clark  
 Graham, Edward Mary

Graham, Ian Keith  
 Graham, Walter Harry  
 Grantham, Wiley George  
 Granuzzo, Andrew Aloysius  
 Graves, Bibb Logan  
 Graves, George William, Jr.  
 Graves, William Thomas  
 Gray, Brian Elliott  
 Gray, Francis David  
 Gray, Wyron Paul  
 Green, Norman Richard, Jr.  
 Green, Robert Leonard  
 Green, Thomas Ray  
 Green, William Jennings, Jr.  
 Greene, David Lockwood  
 Greene, James Bernard, Jr.  
 Greenman, Robert Pruyn  
 Greeson, Tommy Darell  
 Gregory, Francis Carl  
 Griffin, Charles Donald, Jr.  
 Griffin, Clyde William  
 Griffin, Harold Craven, Jr.  
 Griffith, Douglas Kent  
 Griffiths, David John  
 Groff, Jon Philip  
 Groman, Alphonse Winslow, Jr.  
 Gross, Charles Nicholas  
 Grove, Frank Henry  
 Grubb, Robert George  
 Grunwald, Gerald Max  
 Grzymala, Thomas Chester  
 Gubbins, Philip Stanley  
 Guest, George Robert  
 Gullett, Fred Wayne  
 Gushaw, Gregory Vance  
 Gyle, Robert Bentley, III  
 Haan, Dale Everett  
 Hadley, Allan William  
 Hagy, James Henry Dixon, Jr.  
 Hahn, William Dillon  
 Halenza, Hal Rodger  
 Hall, James Benjamin  
 Hall, Thomas Forrest  
 Hall, William Ervin  
 Halperin, Mark Israel  
 Hames, William Jewell  
 Hamilton, Jack Edward  
 Hammer, George Charles  
 Hammer, John Levering, III  
 Hancock, William John  
 Hanks, William Lloyd  
 Hanley, James Joseph  
 Hansen, Laurence Russell  
 Hanson, Claude Lee  
 Hanzel, Joseph A., Jr.  
 Hardman, Herbert Franklin  
 Hargrove, James Carroll  
 Harken, Jerry Lynn  
 Harker, Donald Alfred  
 Harley, James Harold  
 Harmon, Edward Keith  
 Harms, John Henry  
 Harper, John Norman, Jr.  
 Harris, James Partsch  
 Harris, Robert Harlan  
 Harrison, Edward James, Jr.  
 Hart, Harvey Hicks, Jr.  
 Hart, Ronald John  
 Hartman, Charles Willia, III  
 Hartman, Richard Henry  
 Haskins, John Bryant  
 Haskins, Toner Charles, Jr.  
 Hassell, Benny Kyle  
 Hasty, Richard Leon  
 Hatfield, Philip Neal  
 Hauck, Frederick Hamilton  
 Hauert, Patrick Charles  
 Haugen, Ronald Gilbert  
 Hauhart, James Norval  
 Havey, Brian Joseph  
 Hawley, John Garland  
 Hayes, Cornelius Charles, Jr.  
 Hayes, Richard James  
 Hays, George Elden, Jr.  
 Hays, James Malcolm  
 Heare, Charles Ivan, Jr.  
 Heath, William John  
 Hellig, John  
 Heins, Raymond Rice  
 Heins, Roger John  
 Heintzelman, Thomas Gary  
 Heinz, Michael Kasper

Helbig, Raymond Allan  
 Helle, Frederick Allan  
 Helsper, Charles Frederick  
 Hendon, Jerry Edwin  
 Hendrick, William Smith  
 Hennessey, Raymond Wilson  
 Hennessey, William Joseph, Jr.  
 Henry, Russell Jones  
 Hering, Frederic Shriver  
 Hermann, Kermyn Jerome  
 Herring, Arthur Eugene, Jr.  
 Herron, Francis Joseph  
 Hess, Donald Robert  
 Hewitt, John Francis  
 Hewlett, Harold Eugene  
 Hickox, Oscar Jonathan, Jr.  
 Hicks, Robert Louis  
 Hicks, William Lloyd  
 Higginbotham, Harry E.  
 Hightower, Roger Wayne  
 Hillis, Robert J.  
 Hilton, Francis Warren, Jr.  
 Himchak, William Alexander  
 Hines, David Spencer  
 Hines, Henry Lee, Jr.  
 Hingsberger, Andrew John, Jr.  
 Hinkle, John Calvin  
 Hinkley, William Leslie  
 Hitch, James Harvey  
 Hitchborn, James Brian  
 Hite, Thomas Howard  
 Hoag, David Wesley, Jr.  
 Hobbs, Marvin Edward  
 Hockman, Robert Edward  
 Hodel, John Charles  
 Hoff, Robert Glenn  
 Hoffman, Carl Walter  
 Hoffman, David Wesley  
 Hoffman, William St. Clair  
 Hogan, James Joseph, III  
 Hohlstein, Julian Geoffrey  
 Hoivik, Thomas Harry  
 Hokanson, Anders, Jr.  
 Hollingsworth, William Louis  
 Holme, Thomas Timings, Jr.  
 Holmes, Frank Clayton  
 Holt, Philip Nelson  
 Holt, Richard Watkins, Jr.  
 Holton, Wilbur Earl  
 Homer, James Joseph  
 Honhart, David Crosby  
 Hood, John McCoy, Jr.  
 Hooper, Harold Danny  
 Howard, James Willoughby  
 Howell, James Dorn  
 Howell, Robert Lawrence  
 Howie, Robert John  
 Howson, Richard John  
 Hubbard, George Dallas, Jr.  
 Huchko, William Anthony  
 Huchthausen, Peter Anthony  
 Huchting, George Arthur  
 Hucks, Jerry Pierson  
 Hughes, Frank Weber  
 Hughes, Michael Bryant  
 Hughes, William Allen  
 Hughes, William Charles, Jr.  
 Huling, John McKee, Jr.  
 Hull, Kent Sherwood  
 Humphrey, David Deane  
 Hunsucker, Royce Hulton, Jr.  
 Hunt, Donald Bayard  
 Hunt, Paul Dean  
 Hunt, Paul Delton, Jr.  
 Hunter, Richard Joseph  
 Hupp, Arnold Jay  
 Hurd, Michael Fuller  
 Hurley, Robert Francis, Jr.  
 Hurst, Cecil Roy, Jr.  
 Hurst, Paul Drake  
 Huss, Jerry Francis  
 Hutcheson, James Edward, Jr.  
 Hutter, George Richard  
 Hutton, Joseph John Jr.  
 Hutton, Kenneth Laverne  
 Hyde, Walter John  
 Hyland, John Joseph, III  
 Hynes, William Richard  
 Ider, William Randolph  
 Idleberg, Norman  
 Ingram, Isom Irvin  
 Ireland, Delbert Howard

Isenburg, William, Jr.  
 Ishiguro, Guy Akira  
 Ison, William Bradley, Jr.  
 Itkin, Richard Ivan  
 Iverson, Michael Martin  
 Jacanin, John Andrew  
 Jackson, Grady Lee  
 Jackson, James Barrett  
 Jackson, Marshall Neil  
 Jackson, Robert Joseph  
 Jackson, Virgil Frank, Jr.  
 Jacobs, Lawrence Robert  
 Jacobs, Phillip Henley  
 Jacobs, Phillip Roberts  
 Jacobs, Ralph Edward  
 Jacobson, Gerald  
 Jacobson, Herbert Adolph  
 James, Charles Lee  
 James, Franklin Wilson  
 James, William Ednor  
 Janke, Roger Alan  
 Jarrett, John Marshall  
 Jarvis, Gary Thomas  
 Jaudon, Joel Bates  
 Jeffords, John Maxwell  
 Jenkins, Alan Kent  
 Jenkinson, William Raymond  
 Jennings, Lawrence Francis  
 Jensen, Jack James  
 Jensen, Jay Lian  
 Jessel, David George  
 Jewell, Robert Michael  
 Jiannas, John Stergot Emman  
 Johns, Constantine Albert  
 Johnsen, Bruce R.  
 Johnson, Alan Joseph  
 Johnson, Allan Leroy  
 Johnson, Arne Edward  
 Johnson, Bradley  
 Johnson, Charles Edward  
 Johnson, Earl Paul  
 Johnson, Edwin Allen  
 Johnson, Gerald Arthur  
 Johnson, John Robert  
 Johnson, John David  
 Johnson, Patrick Woodruff  
 Johnson, Perry Emerson Jose  
 Johnson, Raymond  
 Johnson, Richard Leroy  
 Johnson, Terry Lowell  
 Johnson, William L., Jr.  
 Johnson, William Spencer  
 Johnston, Thomas Franklyn  
 Jones, Dennis, Richard  
 Jones, Kenneth Earl  
 Jones, Robert Charles  
 Jones, Robert Eugene  
 Jones, William Dean  
 Joplin, James Edward, Jr.  
 Jordan, James Francis  
 Jordan, Jerry William  
 Jordan, John Alton  
 Jordan, John Franklin, Jr.  
 Jordan, Wesley Earl, Jr.  
 Josefosky, Kenneth Martin  
 Joyner, Thomas Woodrow, Jr.  
 Juarez, David Victor  
 Juengling, Robert George  
 Juerling, James Robert  
 Jurecka, Edwin Kenneth  
 Justice, Edward Tabb, Jr.  
 Kahrs, J. Henry III  
 Kaiser, David Gordon  
 Kaiser, John Martin  
 Kaiserian, Harry, Jr.  
 Kaiss, Albert L.  
 Kammerdeiner, Roger Neil  
 Kane, David Charles  
 Karns, Norman Milton, Jr.  
 Karp, Leonard  
 Karr, James Dale  
 Karr, Kenneth Richard  
 Kaup, Karl Lee  
 Kay, Norman Bruce  
 Keck, Leland Stanford, Jr.  
 Keefer, James Francis  
 Kehrl, Lynn Clifford  
 Keim, Edward Franklin  
 Keithley, Charles Leon, Jr.  
 Keleher, John Allen  
 Kell, Richard Edward

Keller, Douglas George  
 Kelley, Thomas James  
 Kelley, William Emanuel  
 Kelly, John Patrick  
 Kelsay, Leslie Rufus  
 Kemp, William Richard  
 Kennedy, James John  
 Kennedy, John Richard  
 Kennelly, Robert J.  
 Kent, Bennie Ray  
 Kephart, Robert Max  
 Kerns, Alexander Harrison  
 Kerns, Kenneth Harper  
 Kerr, Frank Leigh  
 Key, Wilson Denver  
 Kidd, George Norman  
 Kiem, Robert Lang  
 Kiess, Dean William  
 Kilby, Kent Thomas  
 Kile, Thomas Joseph  
 Killian, James Edward  
 Kimball, Darrell Hiram  
 Kime, Steve Francis  
 King, George Leonard, Jr.  
 King, John Barry  
 King, William Henry, Jr.  
 King, William Walter  
 Kinne, William Burton  
 Kinneer, Richard James  
 Kinsey, David Lawrence  
 Kinsley, Dudley Joseph  
 Kiraly, Joseph Stephen  
 Kirk, Gary Lee  
 Kirkwood, William Warren  
 Kisielecki, Kenneth Raymond  
 Kleyn, Fredrick Gilbert, II  
 Klimaszewski, Marcel Paul  
 Klintworth, Philip George  
 Klippert, Richard Hobdell, Jr.  
 Knight, John Michael  
 Knight, Ralph Woodrow, Jr.  
 Knight, Windall Ray  
 Knosky, Michael Joseph, Jr.  
 Knostman, Paul Brayton  
 Knutson, Rodney Allen  
 Koch, Dean Henry  
 Koch, Frank Charles  
 Kochert, Gary Lee  
 Koczur, Daniel Joseph  
 Koeber, Charles John  
 Kohler, Charles Louis  
 Konewko, Everett Lawrence  
 Korhonen, Kenneth Roger  
 Koss, Howard Edward  
 Kost, John Gregory  
 Kotchka, Jerry Allen  
 Kottke, Robert Arthur, Jr.  
 Kozlowski, Neil Lee  
 Kramer, Lawrence Joseph  
 Kreinik, Eugene Gerard  
 Kreitzburg, John Walter  
 Krekich, Alexander Joseph  
 Krieger, Eric Weston  
 Krohne, Theodore Karl  
 Krommenhoek, Jeffrey Martin  
 Krotz, Charles Kit  
 Krueger, Dan William  
 Krueger, Rudolph Vince  
 Kruger, Richard Wayne  
 Krupp, Marvin Mack  
 Kruse, Dennis Keith  
 Kuepker, Donald Lee  
 Klunsky, David Allen  
 Kyzar, Sammy Berton  
 Laabs, Stephen Kermit  
 Labyak, Peter Stephen  
 Lachata, Donald Martin  
 Lachnich, John Francis  
 Ladwig, James Calvin  
 Lagassa, Robert Edward  
 Laidlaw, Charles Edward  
 Lahn, Calvin Edgar  
 Laine, Lawrence Leroy  
 Lamasters, Edward Reid  
 Lamay, Thomas Vincent  
 Lamb, James Joseph  
 Lamb, John Peter  
 Lamping, James Richard  
 Land, Clinton Dale  
 Landers, Michael Francis  
 Lantz, Stephen P.

Laplante, John Baptiste  
 Larkin, Robert Rene, Jr.  
 Larsen, Donald Mark  
 Larsen, Richard Milton  
 Lasch, Charles Anthony  
 Lasswell, James Bryan  
 Latham, Peter Richard  
 Lauer, John Nikolaus  
 Lautenbacher, Conrad C., Jr.  
 Lawson, Joseph Hamilton, Jr.  
 Lebrecht, Clifford William  
 Ledoux, Lawrence James  
 Lee, Charles Richard  
 Lee, Ronald Alvin  
 Leeke, Howard Wardfield, Jr.  
 Lehnus, Ronald Karl  
 Leightley, Albert Lewis, II  
 Lemon, Frank Michael  
 Lennox, Richard John  
 Lewis, John Michael  
 Leonard, Edwin Walter  
 Leonard, John Alexander  
 Leonard, William Joseph  
 Lepak, Ronald Roman  
 Lerich, Barry Harold  
 Lesemann, Donald Frederick  
 Lesh, Vincent Edward  
 Lester, Edwin Thatcher  
 Letourneau, Charles Edward  
 Levangle, James Clement  
 Levings, William H., III  
 Lewis, Ernest Lamar  
 Lewis, Frederick Lance  
 Lewis, Jary William  
 Lewis, Jerry Allen  
 Lewis, Lyle Eugene, Jr.  
 Lewis, Robert Joseph  
 Lierman, John Stephen  
 Life, Richard Aaron  
 Limongelli, Joseph Louis  
 Lind, Carl Victor, Jr.  
 Lindell, Colen Richard  
 Lindsay, James Henry, Jr.  
 Linn, Larry Eugene  
 Lippincott, Richard Jay  
 Little, Edwards Sanford  
 Little, Robert Douglas  
 Livingston, Donald Joseph  
 Lockhart, Theodore Charles  
 Lodge, Charles David  
 Lodge, Raymond Francis  
 Logan, Carl Flack  
 Lombardo, Stephen William  
 Long, Glenn Uish  
 Long, Herman James, Jr.  
 Long, Michael Darrah  
 Longfellow, Dennis Ray  
 Lonsdale, Paul Taylor  
 Lord, William Fred  
 Lounsbery, William John  
 Love, George Paul, III  
 Lovett, Billy Ray  
 Lowas, Emil Peter  
 Lowery, Fred Henry, Jr.  
 Lowman, Richard Whitmore  
 Loy, Michael Howard  
 Ludena, Roy  
 Lucey, John Francis  
 Lugo, Frank John  
 Luke, John Davidson  
 Lulchuk, Daniel  
 Lunde, Roger Kenneth  
 Lundquist, Dallas Earl  
 Lundy, George Willis, Jr.  
 Lutz, Gilbert Martin  
 Lynch, Anthony Joseph  
 Lynch, Charles William  
 Lynch, James Richard  
 Lynch, Thomas John  
 Lyons, Arvid Frederick  
 Lyons, Robert Woodrow  
 Lytkainen, Robert Carl  
 Mabery, Lester Richard, Jr.  
 Macauley, Phillip Hardin  
 MacDonald, Michael John, III  
 MacDonald, Timothy Angus  
 MacDonald, William Robert  
 MacGregor, John Andrew  
 Mackin, Jere Gene  
 MacIn, Charles Sidney  
 Macomber, David Blair



Maddocks, Ronald James  
 Maddox, George Nelson  
 Madison, Russell Lee  
 Magruder, Peyton Marshall J.  
 Mahaffy, Lorrence Alger, Jr.  
 Maher, Daniel Edward  
 Maher, Thomas Michael, Jr.  
 Maheu, John Chaisson  
 Mahoney, Patrick Francis  
 Maler, Robert Alex  
 Major, Watson Harris  
 Malchiodi, Michael Anthony  
 Malkus, Kenneth Charles  
 Mantel, Thomas Joseph  
 Mallen, Frank Harshman  
 Malloy, Charles Joseph, Jr.  
 Mamer, Edwin John  
 Maness, Anthony Ray  
 Manlove, William Woodrow, Jr.  
 Mannarino, Mario Raffaele  
 Mansell, Waymond  
 Marano, Augustine Carlo  
 Marchetti, Michael Joseph  
 Mardis, Benny Joe  
 Marrical, Anthony Rolland  
 Marsden, Phillip Scherrer  
 Marsh, Larry Roy  
 Marsh, William Lee  
 Marshall, James Allen  
 Martel, Norman Leo  
 Martin, David Arthur  
 Martin, Frank  
 Martin, John A.  
 Martin, Ralph Kenneth  
 Martin, Ronald Weldon  
 Martin, Virgil, Jr.  
 Martin, Walter Potts  
 Martin, Wayne Allen  
 Martinache, Charles Gilbert  
 Martinsen, Glenn Tracy  
 Masciangelo, Frederick John  
 Mascitto, Eddy Joe  
 Mason, Henry Boyd  
 Mason, John Allen  
 Massey, Scott Spencer, Jr.  
 Masters, David William  
 Matheson, Norm Keller  
 Mathews, Michael Frawley  
 Mathiowetz, Donald Ray  
 Mathis, Donald Wayne  
 Mathis, William W.  
 Matthews, John Garrett  
 Mattson, Gary Harrison  
 Mauro, Peter John  
 Maxey, Fred, Jr.  
 Maxwell, Malcolm Douglas  
 May, Cyril Victor, Jr.  
 Mayer, Luke Ferdinand, Jr.  
 Mays, Michael Everett  
 Mazzi, Arnold Otello  
 McAllister, James Peter  
 McAloon, Albert Joseph, Jr.  
 McAuley, John Anthony, Jr.  
 McBride, Kenneth B.  
 McBride, Michael Andrew  
 McCallum, James Archibald  
 McCammon, Peter Leverich  
 McCann, William Robert, Jr.  
 McCarthy, Michael James  
 McCleary, Joseph Raymond  
 McClellan, William Dean  
 McCloskey, David Junius  
 McClung, Lonny Kay  
 McColly, John Clark  
 McCormick, James Thomas  
 McCraith, Laurence Paul  
 McCrory, Donald Lee  
 McCrumb, James Brayton  
 McCulloch, David Hamilton  
 McCullough, Donald Charles  
 McCurrach, Douglas Seely  
 McCusker, Arthur Eugene  
 McDaniel, Vernon Dale  
 McDaniels, Joseph Eugene  
 McDavitt, Frederick Harry  
 McDevitt, Michael Allen  
 McDonald, Jay Gale  
 McDonald, John Joseph, Jr.  
 McGee, Robert Thomas  
 McGinty, Patrick Eugene  
 McGrath, John Michael

McGuire, Thomas Patrick  
 McHenry, John Walter  
 McHugh, Richard Gregory  
 McIntyre, James Edward  
 McKay, Dennis Albert  
 McKay, John Douglas  
 McKearn, Michael Clerk  
 McKechnie, Thomas William  
 McKenna, Richard Bernard  
 McKenna, Russell Edmund, Jr.  
 McKenney, George Gordon, Jr.  
 McKinley, Robert Newton  
 McKinnon, Clark Davis  
 McLane, David John  
 McLaughlin, George Thomas  
 McLean, Robert  
 McMillan, John Hammack  
 McNeely, Ellis Eugene  
 McNeer, William Paul, Jr.  
 McNeill, Corbin Asahel, Jr.  
 McNeill, Donald Ray  
 McPhail, Eugene Bates  
 McQuaig, Clarence Marsh  
 McQuown, Michael James  
 McRae, David Albert  
 McRoy, Willie Clifford  
 McSherry, Bernard Patrick J.  
 McWhinney, John Loren  
 Medaglia, Cornelius Peter  
 Meek, Danny Lee  
 Melampy, Ronald Francis  
 Melander, Errol Norman  
 Melanephy, James P.  
 Meno, Timothy Deming Barron  
 Merchant, Steven Lee  
 Merrill, Hugh Anthony  
 Merz, Vincent Paul  
 Meston, Stanley Sercomb  
 Meyer, Donald Robert  
 Meyers, David William  
 Meyers, John Moberg  
 Meyett, Frederick Elwood, Jr.  
 Mezmalis, Andrejs Modris  
 Mikolajczyk, Ronald Joseph  
 Miles, Richard Jeffrey  
 Millard, John Warren  
 Miller, Albert Earl  
 Miller, Andrew Pickens, Jr.  
 Miller, George Morey, III  
 Miller, John Michael  
 Miller, Paul David  
 Miller, Ralph Rillman, III  
 Miller, Raymond Paul  
 Miller, Thomas Hayes  
 Miller, William Charles  
 Miller, William Clark, Jr.  
 Millikin, Stephen Thomas  
 Mills, Robert Charles  
 Minard, Julian Edward  
 Minnick, Thomas Anthony  
 Minter, Charles Stamps, III  
 Mirkin, Howard Benjamin  
 Mister, Richard Woodie  
 Mitchell, Albert Hoyt, Jr.  
 Mitchell, Eugene Francis  
 Mitchell, Robert Marvin  
 Mitchell, William J.  
 Mizner, Malvern Maynard  
 Moessner, Paul Carl  
 Moir, Weston Gavin  
 Moller, Arthur Edward, Jr.  
 Monash, Richard Frank  
 Montana, Richard Thomas  
 Montgomery, Robert Creel  
 Mooberry, William James  
 Moody, William Brooks Blais  
 Moore, David Baker Ames  
 Moore, Durward Earl, Jr.  
 Moore, Guy Carroll, Jr.  
 Moore, James Edward  
 Moore, John Allen  
 Moore, Ronald Cullen  
 Moore, Warwick Breckinridge  
 Moran, Robert Colin  
 Moran, William Patrick, Jr.  
 Moraway, Michael Robert  
 More, Alan Robert  
 Morgan, Thomas Leeroy  
 Moritz, Carl Arthur, Jr.  
 Moritz, Dennis Michael  
 Moroney, Joseph Maris

Morris, Clarence Andrew, Jr.  
 Morrison, Vance Hallam  
 Morrow, Gary Keith  
 Morse, Clayton Kavanaugh  
 Morse, John Arthur  
 Morton, Norman Lee  
 Moseley, Leo Otto, Jr.  
 Moser, Alan Brown  
 Moses, Raleigh Warren  
 Moulson, John Alfred  
 Mount, Donald Lee  
 Moynihan, Brian George  
 Mulholland, Lyle Jerry  
 Mulkerrin, Joseph Martin  
 Mullins, David Lynn  
 Mullins, Willice Ralph II  
 Munsee, Stewart Frederick  
 Murdock, Charles Dale  
 Murphy, Jerome Thomas  
 Murphy, Thomas Francis  
 Murray, Richard Scott  
 Murray, William Michael  
 Musick, George Meredith, III  
 Mustian, Jonathan David  
 Myers, Collin Keith  
 Nakayama, Homer Shiro  
 Naldrett, William John  
 Nanney, Robert Galtner  
 Naquin, John Charles  
 Nash, John Mitchell  
 Nash, Malcolm Peters, III  
 Nash, Michael Arthur  
 Neal, John Stephen  
 Neapolitan, Richard Clyde  
 Neeb, Karl Anthony  
 Nelson, Jack Paul  
 Nelson, Richard Crawford  
 Nerup, Robert Kent  
 Neuberger, Douglas Francis  
 Neuman, Dennis Earl  
 Newton, Roy Irwin  
 Nickerson, Robert Gordon  
 Nicklas, Charles  
 Niederstadt, Robert Grant  
 Njus, Ingmar Joel  
 Noble, Donald Scott  
 Nolan, George Fred  
 Norman, Warren Aubrey, Jr.  
 Norris, Dwayne Orange  
 Norris, Jerry David  
 Northcraft, Zane Wade  
 Northrup, Paul William  
 Norton, Douglas Marvin  
 Norton, Jack Trask, Jr.  
 Norwood, Kenneth Edward  
 Norys, Robert Martin  
 Nunn, James Willis  
 Nystrom, Stephen Curtis  
 Oakes, Charles White  
 Oates, Anthony Brent  
 O'Brien, John Joseph, Jr.  
 O'Brien, Robert Clark  
 O'Brien, Terence James  
 O'Brien, Thomas Joseph, Jr.  
 O'Claray, Daniel George  
 O'Connor, Kip  
 O'Connor, Michael Bernard, Jr.  
 Oden, Leonard Nelson  
 Oertel, E. James  
 Oettinger, Mark  
 Ogles, Homer Cecil  
 O'Hara, Thomas N.  
 Ohler, Herman  
 O'Keefe, Cornelius Francis  
 Okeson, James Clifford  
 Okeson, Lars Holman  
 Oldham, George Roberts  
 Oliphant, Gary Thomas  
 Oliver, David Edward  
 Oliver, Richard Joseph  
 Olsen, Glenn Ray  
 Olson, David Edward  
 Olson, Donald Milton  
 Olson, Jerrold Elwood  
 Olson, Kenneth Paul  
 Olson, Phillip Roger  
 Olstad, Vincent Kenneth  
 Orluck, James Emmanuel  
 Oriss, David Anthony  
 O'Shea, Donald James  
 Oshell, Walter Edward

Otis, Robert Busby  
 Otto, Paul Eugene  
 Overstreet, John Wesley, Jr.  
 Owen, Kenneth Joseph  
 Owen, Robert Harrison  
 Owens, William Arthur  
 Palen, Don Gilbert  
 Palma, Richard John  
 Palmer, Jerry Dale  
 Palmer, Robert Earl  
 Palmer, William Allison, Jr.  
 Paquin, James Edward  
 Parchen, William Robert  
 Parent, Donn Valentine  
 Park, John Prentiss  
 Parker, Charles David  
 Parker, Raymond Francis  
 Parkhurst, Nigel Ernest  
 Parrie, Elman James  
 Patch, Frank Henry  
 Patrick, Roger David  
 Pattarozzi, Norman Joseph  
 Patterson, Bernard Leo III  
 Patterson, Jeffrey Spear  
 Patton, Kuemen Behling  
 Paul, Harold Wayne  
 Paul, Martin Andrew  
 Pauling, David Robert  
 Pearson, Dale Quimby  
 Peck, Bert Lyle  
 Peebles, Robert Graham, Jr.  
 Peirce, Frank Haber  
 Pelot, Kent Barry  
 Pendleton, Alan Ray  
 Pennington, Chad Allen  
 Penny, Douglas Corrigan  
 Perez, Demetrio Jose  
 Perez, Joseph Silvio  
 Perkins, Ernest Della, II  
 Perkinson, Brian Thomas  
 Pesce, Victor Louis  
 Peters, Joseph Paschall  
 Peters, Victor Lee  
 Peterson, Charles A.  
 Peterson, John Christian  
 Peterson, Ralph Duane  
 Peterson, Robert William  
 Peterson, Richard Norman  
 Petrovich, James Michael  
 Pfeiffer, John Jacob  
 Pfingstag, William Carl  
 Pfister, William Campbell  
 Phaneuf, Joseph Theodore, Jr.  
 Phelps, Harold Richard, Jr.  
 Phillips, Alexander Martin  
 Phillips, Joseph Larry  
 Phoebe, Charles Richard  
 Pickett, Larry James  
 Pieno, John Anthony, Jr.  
 Pierce, Cole Jon  
 Pierce, Sidney Robert  
 Pira, Peter  
 Piret, Ronald Sterling  
 Plath, Richard Neil  
 Plummer, Galen Robert  
 Poelnitz, Walter Durand, II  
 Popp, Arvel Jerald  
 Popp, Robert Leonard  
 Portenlanger, Stephen  
 Porter, John Dudley  
 Porter, Philip Edward  
 Porterfield, Gary Lloyd  
 Post, Warren Lee  
 Poulin, Norman Raymond  
 Powers, Thomas Edward  
 Powers, William Benton, Jr.  
 Pozzi, Robert John  
 Prath, Robert Lee Emerich  
 Prather, Jerauld Stuart  
 Pratt, George Washington  
 Pratt, Thomas Rolla  
 Preston, Joe Wayne  
 Prince, Robert Vernon  
 Procopio, Joseph Guydon  
 Provine, John Arthur  
 Pryby, Stanley John  
 Pulfrey, Charles Allen  
 PUNCHES, Robert Louis  
 Purcell, Darrell William  
 Quade, Edward Lynn  
 Quarles, Herbert R.

Quinn, Joseph Sydney  
 Quinton, Peter Douglas  
 Rackowitz, Marion Rex  
 Raebel, Dale Virgil  
 Raetzman, Donald Patrick  
 Raggett, Michael Mark  
 Rainey, Peter Garland  
 Ralfer, Friedrich Eric  
 Ramm, Edward James  
 Ranson, William M.  
 Ranzinger, William F.  
 Ratcliff, John William  
 Rathjen, Arthur David  
 Rau, Morton David  
 Ray, Donald Joseph  
 Ray, Norman Wilson  
 Ray, Roy Lafayette, Jr.  
 Rea, John Paul  
 Read, Ray Weldon, Jr.  
 Reader, Robert James  
 Reber, Peter Michael  
 Reemelin, Thomas Edward  
 Rees, Bob Gary  
 Reeves, Robert Dulaney  
 Refi, Roger Gene  
 Regan, James Peter  
 Regan, John Thomas  
 Register, Mahlon Edmond  
 Reich, Donald Gene  
 Reilly, Edward L.  
 Reilly, Errol Francis  
 Reilly, John Thomas  
 Reinhardt, David Starr  
 Reistetter, Emery Andrew  
 Resweber, Owen Joseph, Jr.  
 Retz, William Andrew  
 Revesz, William, Jr.  
 Reynolds, Franklin Eugene  
 Reynolds, Keith Earl  
 Rhea, Kennedy J.  
 Ribolla, Romolo Thomas  
 Rice, Michael Gerard  
 Rich, James Earl  
 Richards, Frank Martin  
 Richardson, David Paul  
 Richardson, Earnest Wells  
 Richmond, Frederick James  
 Riddell, Richard Anderson  
 Ridgely, Philip Jay  
 Riess, James Richard  
 Riggle, Gordon Grant  
 Riggs, William Decapp  
 Riker, Robert Townsend  
 Riley, David Richard  
 Ring, Henry Mark  
 Ristad, Arnold Clifford  
 Ritt, Dayton William  
 Rixse, John Henry, III  
 Robbins, Charles Bruce  
 Robbins, David Leroy  
 Roberson, Bernard Gordon  
 Roberts, Donald Arthur  
 Roberts, William J.  
 Robertson, Thomas James  
 Robinson, Keith Phillips  
 Robinson, Paul Matthew  
 Robison, James Clifford  
 Rodriguez, Antonio Beltran  
 Rogers, Louis Anthony  
 Rogerson, Henry Porter  
 Rohm, Fredric William  
 Roll, Francis Patrick  
 Rooney, Philip James  
 Roper, James Edward  
 Rosenthal, Joseph Eugene  
 Ross, James Andrew  
 Ross, Raymond Harper, Jr.  
 Rossi, Joseph Lewis  
 Rosson, Vernon Lee  
 Roton, James Richard  
 Roy, Rudolph John, Jr.  
 Ruck, Merrill Wythe  
 Ruckner, Edward Aberle, Jr.  
 Rueff, James Louis, Jr.  
 Ruff, John Crawford  
 Ruff, Paul Gray, III  
 Ruliffson, James Howard  
 Rupprecht, Robert Philip  
 Rust, Gregory Bedell  
 Rust, Robert Stanley  
 Rutherford, Paul Findlay

Ryan, Bruce Anthony  
 Ryland, Robert Baird  
 Saber, Gerald William  
 Sagerian, Ara  
 Salisbury, William R.  
 Salmon, Harry Paul, Jr.  
 Salmers, Edward Addison, Jr.  
 Sampsel, Michael Martin  
 Sampson, Harry Burnell  
 Sanders, William Milfred  
 Sandstrom, John Fridolf, Jr.  
 Sanger, Kenneth Tisdale  
 Santamaria, Donald Frank  
 Santi, Ralph Louis  
 Sargeant, Harry, Jr.  
 Scarlett, Bernard  
 Schafer, Carl Edward, II  
 Schaller, Martin Nink  
 Schantz, John Malcolm  
 Schardt, Delvin Leroy  
 Schatz, Arthur David  
 Schaus, Richard Harris  
 Schenck, William Herman  
 Schery, Ferdinand Michael  
 Schiffer, John Richard, Jr.  
 Schiller, Frederick Conrad  
 Schmeling, Leslie Lynn  
 Schmidt, Charles Thomas  
 Schmidt, Clemens Edward  
 Schmidt, Donahue Henry  
 Schnelder, George Frederick  
 Schoonover, Ray Richard  
 Schrader, John Yale, Jr.  
 Schroeder, Arthur Frederick  
 Schroeder, Gerald Mark  
 Schroeder, Kenneth A., Jr.  
 Schropp, John Warren  
 Schrupp, Manfred Sheldon  
 Schuerger, Richard Francis  
 Schufeldt, Coral Vance  
 Schultz, Peter Hutchisson  
 Schwab, James Alexander  
 Schwartz, Henry William  
 Scott, David E.  
 Scott, Gerald Dean  
 Scott, Jon Jaul  
 Seaquist, Larry Ray  
 Seay, Marvin Eugene, Jr.  
 Secades, Vincent Cecil  
 Segal, Harold William  
 Segrist, Edward Lewis, Jr.  
 Seiberling, Ronald Keith  
 Settlemyer, Charles Talmad  
 Shackleton, Norman John, Jr.  
 Shaffer, Leslie Victor, II  
 Shaffer, Lloyd E.  
 Shankel, William Leonard  
 Shapard, James Richard, III  
 Sharer, Don Allen  
 Sharp, David Dean  
 Sharp, David Robert  
 Sharpe, Joseph Daniel, Jr.  
 Sharpe, Raymond Alexander J.  
 Shaw, James Ashton, Jr.  
 Shea, Jerome  
 Shea, Richard Francis, Jr.  
 Shearer, Edward David, Jr.  
 Sheehan, John Wilfred, Jr.  
 Sheffield, George Albert  
 Shepherd, Gary Lee  
 Sheridan, Joseph Lawrence  
 Sheridan, Thomas Russell  
 Sherman, Allan  
 Shermer, William Barton  
 Shields, Donald Kent  
 Shillingsburg, John William  
 Shirk, Robert Leroy, Jr.  
 Shirmer, Dan Armstrong  
 Shoup, Linn Tyler  
 Shreve, Robert Lee  
 Shupe, Robert David  
 Shutt, John Jay  
 Siebecke, Alfred George  
 Siemer, John Robert  
 Simon, William Frederick  
 Simonelli, Norman Walter  
 Simpson, Michael Grant  
 Simpson, Troy Eugene  
 Singer, Edward Anthony, Jr.  
 Sirmans, James Stanley  
 Sisson, Robert Harsha



Skrzypek, John Anthony  
Slack, William Michael  
Slater, Thomas Stafford  
Slaughter, Jimmy Ray  
Sloan, Robert Eugene  
Small, Selden Matthew  
Smith, Bernard John  
Smith, Dan Howard  
Smith, David Cleveland  
Smith, Franklin Jerome III  
Smith, John Monroe  
Smith, Joseph Francis  
Smith, Lary Don  
Smith, Lyman Hibbard II  
Smith, Robert James  
Smith, Robert Seaward  
Smith, Roger Walter  
Smith, Vernon George  
Smith, William Earl  
Smith, William Richard Howe  
Smith, Wilton Jeremian, Jr.  
Smyth, Gregory Stephen  
Snell, Alfred Walter  
Snyder, Christian Ross  
Snyder, Donald Marshall  
Sokol, Stanley Ernest  
Soles, Thomas Edwin  
Soluri, Elroy Anthony  
Sootkoos, Donald Richard  
Sordelet, James Robert  
Soto, Octavio  
Souder, James B.  
Soverel, Peter Wolcott  
Spang, Robert Johnson  
Spang, Norman Walbridge  
Spencer, Larry Howard  
Spinello, John Anthony  
Spofford, Barry Andrew  
Spruance, James Harvey, III  
Stacy, Edward Gerhard  
Stahl, Dale Stough, Jr.  
Stakel, Robert Wallace  
Stanley, Joe Milton, Jr.  
Stansbury, Frederick Alexan  
Stapleton, Daniel Victor, Jr.  
Stark, John Wayne  
Stark, William Carleton  
Stegina, Robert Francis  
Steiger, Gary Carlton  
Steinbruck, Charles George  
Stender, Richard Henry  
Stephens, Darrel Lindel  
Stephenson, Gary Phillip  
Stephenson, Max Olin  
Stern, George Rudolph  
Stevens, John Bradford  
Stewart, Jake William, Jr.  
Stiger, Robert David, Jr.  
Stillwell, William Carter  
Stinson, William Albrecht  
Stoakes, Richmond Bruce  
Stoddard, Howard Sanford  
Stolgitis, William Charles  
Stone, Thomas Edward  
Stone, William Charles  
Story, William Ferguson  
Stouffer, Donald Andrew  
Stout, Michael Dinsmore  
Stowell, Ralph Henry, Jr.  
Strand, Richard Charles  
Strasser, Joseph Charles  
Strickler, James Wilson  
Striffler, Paul John  
Strole, Douglas Luther  
Stromberg, David Lynn  
Stryker, Lyl Maurice  
Stubbs, William Olan, Jr.  
Stuckemeyer, John Andrew  
Studeman, William Oliver  
Sturvist, Gerald Hilding  
Sullivan, Joseph Cornelius  
Sullivan, Kenneth David  
Sullivan, Michael Edward  
Surlis, Billy Wayne  
Sushka, Peter William, Jr.  
Sutton, Gwynn Richard, Jr.  
Szopinski, Robert William  
Tague, James Robert, Jr.  
Tahaney, Hubert Francis, Jr.  
Tanner, Michael  
Tansey, Philip Michael

Taranto, Richard  
Tate, James Andrew  
Tate, William August  
Taylor, B. J., Jr.  
Taylor, James Samuel  
Taylor, Robert Monard  
Taylor, Steven Craig  
Taylor, Thomas Lee  
Taylor, Wade Hampton, III  
Telfer, Grant Richard  
Tenney, Stuart Lowe  
Terry, Donald Lee  
Terry, Michael Roy  
Terry, William Edwin  
Testa, Ronald Fred  
Testwilde, Robert Louis, Jr.  
Tettenburn, Howard Thomas J.  
Thaxton, David Reuben  
Thomas, Frank Hughes, Jr.  
Thomas, Norman Matttoon, III  
Thomas, Peter Donald  
Thomas, Peter William  
Thomas, William Akins  
Thomassy, Louis Edward, Jr.  
Thompson, Allan Medley  
Thompson, Clifford Jackson  
Thompson, Eugene Claren  
Thompson, Laille Hunter, Jr.  
Thompson, Robert Gutz  
Thorn, John Charles  
Tidball, Douglas D.  
Tiernan, Barry Vincent  
Tiernan, Michael Connolly  
Tillinghast, Theodore V.  
Tillotson, Frank Lee  
Tobertge, Paul Edwin  
Tobin, Paul Edward, Jr.  
Tobolski, Donald Michael  
Todaro, Richard Clark  
Todd, James Norman  
Todd, Terrence Stephen  
Toft, Richard Joseph  
Tolbert, Clarence O.  
Tolbert, William Haywood  
Tomlin, Joseph Mayhew  
Tompkins, Paul Stuart  
Tonti, Louis George  
Toone, John Pierce  
Torbit, Jerry Bert  
Tortora, Carmine  
Towers, Edwin Lydell  
Towle, John Moore  
Trafton, Robert Truman  
Traver, James Emery  
Travis, David Timothy  
Trefry, Edwin Victor  
Tripp, Richard Willis, Jr.  
Trotman, George, Jr.  
Truxell, Thomas Reed  
Tschudy, William Michael  
Tucker, Albert Lee  
Turley, John, Jr.  
Turnbull, James Laverne  
Turner, David Andrew  
Turner, James Richard  
Turner, Thomas Willard  
Twardy, Clement Robert  
Twomey, Daniel Timothy  
Tynan, Douglas Michael  
Tyner, Jimmie Cortez  
Tyrrel, Norman Leroy  
Uber, Thomas Edward  
Ullman, Harlan Kenneth  
Unger, Maurice Henry  
Urice, Ronel Morgan  
Usborne, Roger Way  
Ussery, David Lawrence  
Vanallman, Alfred Christ  
Vanarsdall, Clyde James, III  
Vanbrackle, Vernon Lamar, Jr.  
Vance, Richard Moon  
Vandergrift, Ronald William  
Vandervelde, Kent Mills  
Vanhofen, Scott Adrianus  
Vanhoy, William Lester, Jr.  
Vansoun, Arthur  
Vanwormer, Thomas Park  
Vaughan, Raymond Edmon  
Vaupel, David Karl  
Vazquez, Raul  
Veazey, Luther Tracy

Verd, George Harris  
Vernallis, Samuel Larry  
Vernon, Larry Jay  
Vetter, David Allen  
Victor, Edward George  
Vincent, William Lansing  
Virden, Charles Samuel  
Vogel, Raymond William, III  
Volk, John Stanley, II  
Vollmar, Fredrick, Joseph, Jr.  
Vonsydow, Vernon Hans  
Wagner, George Francis Odol  
Walker, Jerry David  
Walker, John Andrew, Jr.  
Walker, Robert Ormond  
Walker, Ronald Wallace  
Wallace, Roy Nell  
Wallin, Steven Russell  
Walls, James Monroe  
Walters, John Bennett, III  
Walters, Ronald Francis  
Walther, Arthur Ernest  
Walton, Don Holland  
Walton, Harold Alexander  
Walton, James Allen  
Wanamaker, Gregory  
Wann, Charles Billy  
Waples, Robert Everett  
Ward, John William  
Warn, Jon Christian  
Warren, Ferrell Dean  
Warren, Roger Clayton  
Warren, Roy Dale  
Warthin, Jonathan Carver  
Waterman, George Russell  
Watford, Jennings Clement J.  
Watkins, Donald Edward  
Watkins, James  
Watkins, Richard Smith  
Watrous, Timothy Bennett  
Watson, Randolph Grant  
Watt, Robert Henry  
Waugaman, Merle Alvin  
Weale, Gary Dean  
Weaver, Charles Thomas  
Weaver, James Edward, Jr.  
Weegar, Carl Allen  
Weidman, Robert Hulbert, Jr.  
Weihmiller, Gordon Richard  
Weisgerber, Donald Edwin  
Welham, Walter Frederick, Jr.  
Weller, Edward Emerson  
Wells, David Austin  
Wells, Robert Mathew  
Werner, Robert Mitchell  
Wernsman, Robert Lee  
West, Karl Grove  
West, Walter David, III  
West, William Allen  
Westbrook, Richard Evans  
Westin, Brian E.  
Westwood, James Thomas  
Whalen, Frank Richard  
Wheeler, Gerard Charles  
Wheeler, John Rutherford  
Wheeler, Sidney Earl  
Wheeler, William Wayt, Jr.  
Whelan, Joseph Gerard  
Whisler, Glenn Edward, Jr.  
Whitaker, Roger Brent  
Whitcomb, Winfield John  
White, Arthur Edward  
White, Chester Gurnett, Jr.  
White, Donald Clark  
White, John Dwyer, II  
White, Larry Raymond  
White, Robin John  
White, Ronal Lee  
White, Walter Edward  
Whitehurst, Bryon Paul  
Whitney, Payson Rogers, Jr.  
Whitt, Eugene Nye  
Whitus, Ernest Ferrell  
Wiggins, William Frederick  
Wike, Max A.  
Wilbourne, David Garner  
Wilbur, Gene Leo  
Wilcox, Mack Rudolph  
Wilkin, Howard Arthur  
Wilkins, Stephen Vincent  
Wilkinson, John Glenn, Jr.

Willandt, Theodore August  
 Williams, David Daniel  
 Williams, James C.  
 Williams, Michael Vernon  
 Williams, Ronald Lee  
 Williams, Thomas Dan  
 Williamson, Gordon Morris  
 Williamson, James Vivian, Jr.  
 Willoz, Clifford Paul, Jr.  
 Wilson, Ashley Vannorden  
 Wilson, Frederick Simaika  
 Wilson, Gary Warren  
 Wilson, Richard Alexander  
 Wilson, Robert Montague  
 Wilson, Torrence Bement, III  
 Winters, Curtis John  
 Wise, Randolph English  
 Wischart, Kenneth Martin  
 Wisely, Hugh Dennis  
 Witcraft, William Robert  
 Witman, William Paul  
 Woehl, Robert David  
 Wolf, Rexford Elwood  
 Wolfram, Charles Barrett  
 Womble, Talmadge Anthony  
 Wood, Forrest Kent  
 Wood, Hansel Trevylon  
 Wood, Virgil West  
 Woodbury, Roger Lee  
 Woodford, Duval Sterling  
 Woodka, Thomas Kenny  
 Woodroof, Olen C., Jr.  
 Woodruff, Harold Hanson  
 Woodruff, Peter Bayard  
 Woodruff, Robert Bruce  
 Woods, James Raney, Jr.  
 Woods, Paul Franklin  
 Woodworth, George Prebble J.  
 Wools, Ronald Joe  
 Worcester, John Bowers  
 Wright, Donald Jay  
 Wright, Eugene  
 Wright, James Joseph  
 Wright, Julian Maynard, Jr.  
 Wright, Malcolm Sturtevant  
 Wright, Timothy Wayne  
 Wright, Will Royce  
 Wunderly, William Louis, Jr.  
 Wurts, Edward Vanuxem, III  
 Wynne, David Cowgill  
 Wytenbach, Richard Harrington  
 Yankura, Thomas William  
 Yanovsky, Allen John  
 Yarbrough, Milton Edward, Jr.  
 Yonkers, David Peter  
 Yonov, Serge A.  
 Yost, James Alfred  
 Young, Bruce Albert  
 Yufer, Kenneth Lee  
 Zabrocki, Alan Dale  
 Zarecki, John Philip  
 Zimmermann, Claus Erwin  
 Zlatoper, Ronald Joseph  
 Zucca, Gary Joseph

## SUPPLY CORPS

Abbott, Gerald William  
 Abernethy, James Robert, Jr.  
 Actis, Charles Louis  
 Adelgren, Paul Wayne  
 Aleva, David Andrew  
 Anderson, Louis Gary  
 Andrews Ernest Lee, Jr.  
 Arehart, Robert Coffman  
 Armistead, William Bright  
 Atkinson, Larry Richard  
 Ayers, James Dennis  
 Baker, Charles Edmund, Sr.  
 Baldwin, Seth Weaver, II  
 Barnes, Edmund Lee, Jr.  
 Bartel, Joseph Richard  
 Bednar, Edmund Joseph  
 Beer, Robert Oakley, Jr.  
 Bergquist, John Roy  
 Biggins, James Alfred  
 Bissett, John Lynn  
 Blankenfeld, Richard Kleith  
 Blondin, Peter William  
 Bondi, Peter Albert  
 Boyd, Terran Ray  
 Bradley, James Smith

Brochu, Robert Adelard  
 Bromen, Roger Raymond  
 Brown, Bernard Elton  
 Brown, Reed Eaton  
 Bryant, Verle Eugene  
 Buhr, Joseph David  
 Bunch, Joseph Robert, Jr.  
 Burnett, Michael Howard  
 Burnham, John Kenneth  
 Cangalosi, Davis Stewart  
 Cantrall, Edward Loren  
 Carr, William Neil  
 Carre, Darwin Beach, Jr.  
 Carroll, John Perry  
 Casanova, Kenneth Evelio  
 Caudle, Allen Davis, Jr.  
 Chapman, George Aubrey, Jr.  
 Chappell, Richard Glenn  
 Cleary, Richard Thomas III  
 Cole, Chester Benny  
 Conner, John Thomas  
 Conser, Richard Lewis  
 Cook, Kendall Raymond  
 Correll, Charles David  
 Crabb, Dal Ed  
 Crocker, William Guy  
 Dahm, Eugene Emile  
 Daniels, John G.  
 Danner, Glenn Richard  
 Davis, Fredrick Cook  
 Delasfuentes, Jose, Jr.  
 Dilger, Dean Edward  
 Dominy, Wilbur Dupre  
 Driskell, James David III  
 Dunn, Robert George  
 Duryea, Robert James  
 Eadie, Paul Warren  
 Earhart, Terry Lee  
 Earle, Samuel Broadus, III  
 Evans, George Albert  
 Fellows, Fred Yates, III  
 Fields, Billy Joe  
 Fincke, Edwin August  
 Fisher, Gary Clay  
 Fisher, Orville Leroy, Jr.  
 Fitzgerald, Thomas Patrick  
 Fleming, James Alexander, Jr.  
 Flowers, John Holder  
 Foley, Richard Lynde  
 Franklin, Norman Gale  
 Frantz, Harold Wayne  
 Frassato, Robert Charles  
 Fuller, Franklin Barry  
 Gainey, John Michael, III  
 Galligan, David Richard  
 Gallion, Robert Zurill  
 Garmus, David Paul  
 Geary, John Paul  
 Gee, Charles Daniel  
 Glisson, Donald Jerry  
 Grant, Robert David  
 Green, William Thomas  
 Grichel, Dietmar Fritz  
 Griffin, Jon Edward  
 Grim, James Woodrow  
 Groves, William Dennis  
 Habermann, William Frank  
 Hagerty, William Orme  
 Hale, Ronald Arthur  
 Hanson, Harold Charles  
 Harrington, Phillip Henry  
 Harshbarger, Eugene Burks  
 Hart, Charles Ashley  
 Hawthorne, Richard Lee  
 Haynes, William Mitchell, Jr.  
 Helder, James Martin, Jr.  
 Hekman, John Gilbert  
 Helmuth, Robert Allen  
 Henderson, Andy Leroy  
 Henson, Verlin Charter  
 Hering, Joseph Florian  
 Hernandez, Edward Simon, Jr.  
 Hickman, Donald Eugene  
 Hildebrand, Jarold Ray  
 Hislop, Charles Edward  
 Hodapp, Charles Aloysius  
 Hogan, Brian Thomas  
 Holland, Donald Lee  
 Holmes, Clifford Joseph  
 Hooker, James Stewart  
 Hopkins, William Leslie

Hundelt, George Robert  
 Hunter, Curtis Stanley, Jr.  
 Hutto, John Aaron  
 Hyman, William M.  
 James, William Don  
 Janse, Anthony Ludwig  
 Jensen, Ronald Lee  
 Johnson, Thomas Lawrence  
 Jones, Eric Bywater  
 Jones, Richard Walter  
 Jones, William Marcus  
 Karosich, James Charles  
 Kaufman, James David  
 Kavanaugh, John Thomas  
 Kerr, Harold Lewis, Jr.  
 King, David O.  
 King, William Delano  
 Kizer, John L.  
 Koselka, James Anthony  
 Kosch, Charles Arthur  
 Krehely, Donald Edward  
 Kuster, Ulrich Emil  
 Lafianza, Bernard John  
 Lafnitzegger, Frederick A.  
 Lambright, John James  
 Landon, Stewart Noel  
 Laurent, Daniel Henri  
 Lebel, Robert Francis, Jr.  
 Leeper, James Edward, Jr.  
 Lenga, James R.  
 Leon, Albert  
 Lewis, James Joseph  
 Lines, Donald Paul  
 Logan, Don Edward  
 Lovstedt, Joel Mathies  
 Lutz, Gerald Gilbert  
 Lynch, Michael Gerald  
 Macaulay, Charles Patrick  
 MacMurray, Michael McRobert  
 Maley, Michael Denton  
 Mandel, Allan Lee  
 Manning, Gary Clifford  
 Marohn, Louis Norman  
 Marshall, William Baker III  
 Mastrandrea, Gary Allen  
 McClure, John Marvin  
 McDermott, John Edward  
 McDonald, John Francis  
 McGraa, John Robinson III  
 McNutt, Beverly Daniel  
 Meneely, Frank Thomas  
 Merritt, Frank Wilbur, Jr.  
 Meys, Charles Pawling  
 Miller, James Rush  
 Mitchell, John Wayne  
 Monroe, James Leslie Dukes  
 Monson, Jon Phillip  
 Moore, Thomas John  
 Moreland, Richard Dean  
 Morgan, George Parker, Jr.  
 Morgan, Ronald Dean  
 Morris, John David III  
 Morris, John Glenn  
 Mortensen, John James  
 Moum, Jerry Davis  
 Mueller, John Joseph  
 Musgrave, Alvin William, Jr.  
 Nair, Sterling Edward, Jr.  
 Natole, Robert Lester  
 Nichols, Clifford John  
 Nichols, Edward Hamilton  
 Norris, David Carter  
 Oberle, Michael Joseph  
 O'Connor, Joseph Andrew  
 Oehrlein, William Philip  
 O'Hara, Patrick Joseph  
 Olio, John Francis  
 Orahood, Douglas William  
 Overhiser, Dennis Dee  
 Owens, Joseph Frederick  
 Owens, Robert K.  
 Packard, Charles Alden  
 Paine, John Spaulding  
 Palazzolo, Gregory S.  
 Parks, Leonard Cranford  
 Parrott, Ralph Condron  
 Parsons, Donald Sargent, Jr.  
 Pearson, David Edward  
 Pedersen, Carl Jens  
 Peiffer, Robert Hurst  
 Perrill, Fredrick Eugene



Perry, James Hilliard, Jr.  
 Peterson, Roland Hokan  
 Phillips, James Donald  
 Pinsky, Carl Walter  
 Pittman, Harold Sherrod  
 Ponder, Joseph Edward  
 Porter, Robert Cleve  
 Price, Clifford Ronald  
 Price, Robert Francis  
 Quigley, Patrick Joseph  
 Quinn, John Thomas  
 Quinn, Kenneth James  
 Rasmussen, Kenneth Herman  
 Rasmussen, Paul Duane  
 Redman, William Ernest, Jr.  
 Reynolds, Kevin Thomas  
 Rice, Richard Ray  
 Ringberg, David Allen  
 Rittenhouse, Ferness Levere  
 Rodgers, Gary Lee  
 Rosson, Bobby Joe  
 Rueckert, Jon  
 Rumsey, Charles Gary  
 Ryland, Charles Wayne  
 Sadler, David Henry  
 Sandeen, John King  
 Saper, Leonard Joseph  
 Sareeram, Ray Rupchand  
 Sattler, Roger Charles  
 Savola, Vernon Victor, Jr.  
 Scharf, Richard Darrell  
 Schiel, William Arron, Jr.  
 Schultz, Robert Arthur  
 Seddon, Thomas Albert  
 Sewell, John Burdon  
 Shannon, William Northrop  
 Sherman, Bruce Leslie  
 Shields, Edward Joseph  
 Siburt, Forrest Nile, Jr.  
 Sikes, James Eugene  
 Simeon, Harlan Lee  
 Smith, Charles Edward  
 Smith, Olen Brown, Jr.  
 Smith, Richard Michael  
 Smith, William James  
 Snelderman, Marshall Lewis  
 Stafford, Joe Roberson  
 Standish, John Alden  
 Starnes, Bobby Franklin  
 Stebbins, Lynten Harvey  
 Steen, George Samuel, Jr.  
 Stocker, Vernon Dean  
 Stone, Charles Welborn, Jr.  
 Sulek, Kenneth James  
 Summers, John Howard  
 Suter, David Floyd  
 Swan, Aubrey Earl  
 Szalapski, Jeffrey Paul  
 Tarr, Nicholas William  
 Taube, Arden Raymond  
 Terwilliger, Bruce Kidd, Jr.  
 Thomas, Dudley Jerome  
 Thomas, Gary Lee  
 Thomas, Robert Louis  
 Thompson, Robert Howard  
 Tomcheck, John Kenneth  
 Torrey, Tracy Everett  
 Trbovich, George Melvin  
 Treanor, Richard Craig  
 Trotter, Edgar Stoker, Jr.  
 Tully, Albert Paul, Jr.  
 Ullman, Robert Chester  
 Unsicker, David Wayne  
 Vanness, Robert Louis  
 Vaughan, Woodrow Wilson, Jr.  
 Verhage, Ronald Glenn  
 Wachutka, James Richard  
 Wagner, Gregory Leonard  
 Waldron, Andrew John, Jr.  
 Walker, Charles Kerwin  
 Wallace, James Joseph  
 Wallace, William Warren  
 Walton, Joseph Leo  
 Watrach, Dennis Kenneth  
 Weaver, Edwin Richard, Jr.  
 Webster, Bert Reed  
 Wells, Michael Vance  
 Wells, Paul Denzil  
 Wellumson, Douglas Raymond  
 West, Karl Peterson  
 Williams, Richard Hardy

Williams, Robert Joseph  
 Wilson, Michael George  
 Windbigler, John J.  
 Woodward, Joseph Albert  
 Wootten, John Francis  
 Worsena, Richard Francis  
 Yaney, Donald L.  
 Young, Robert Reese  
 Zepfieri, Ronald James  
 Zumbro, Sherrod Branson

## CHAPLAIN CORPS

Bartholomew, Carroll Eugene  
 Bruggeman, John Anthony  
 Coughlin, Conall R.  
 Curran, Wade Hampton, Jr.  
 Dennis, Billy Vernon  
 Depascale, Daniel Francis  
 Dorr, Charles Edward  
 Eckles, James Warren  
 Erick, Robert James  
 Fiorino, Alfred Lewis  
 Flick, Carl William  
 Force, Daniel Lawrence  
 Fullilove, Ray Weldon  
 Gibney, Robert George  
 Gill, Francis  
 Kerner, William Byron  
 Kuhn, Thomas Walter  
 Luebke, Robert Bingham, Jr.  
 Matthias, Robert William  
 McCoy, Charles Joseph  
 Meehan, Conon Joseph  
 Moffitt, Robert George  
 Murray, Edward Kevin  
 O'Donnell, Joseph Francis  
 Olander, Edward Alfred  
 Read, Gordon Amos  
 Richards, Gerald Thomas  
 Riley, Robert Joseph  
 Rowland, William Alfred, Jr.  
 Roy, Raymond Armand  
 Smith, Jerry Ronald  
 Stewart, Lisle Edwin  
 Taylor, Francis Stuart, III  
 Winnenberg, John Oscar

## CIVIL ENGINEER CORPS

Andrews, Richard Earl  
 Bass, William Martin, Jr.  
 Bergstrom, Robert Russell  
 Beuby, Stephen Charles  
 Black, Dorwin Clay  
 Bookhardt, Edward Lee, Jr.  
 Buckner, Ernest Wesley  
 Buffington, Jack Eugene  
 Camden, Edward Brydges  
 Carnell, Donald Lee  
 Chapla, Paul Anthony  
 Crane, Thomas Clemson  
 Day, Norman Walter  
 Dillman, Robert Peter  
 Drennon, Patrick William  
 Eckert, James Watts  
 Edmiston, Robert Clair  
 Endebrock, Robert Neal  
 Everett, Ernest James  
 Finn, James Robert  
 Fluharty, David Henning  
 Fowler, George Edward, III  
 Frauenfelder, Henry Roger  
 Goin, Paul Thurman  
 Greene, Carl Deforest  
 Griffith, Harry Gates  
 Hansen, Robert Edwin  
 Harris, William Frank  
 Hathaway, James Luther  
 Heffernan, Thomas John  
 Heine, Richard Frederick, Jr.  
 Henley, Joseph Leo  
 Hosey, Gary Ronald  
 Hull, David Nelson  
 Jackson, Bruce Lawellin  
 Leap, Joseph Brian  
 Martinelli, Salvatore Aldo  
 McCahill, Dennis Francis  
 McCullagh, Paul William  
 Michna, Thomas Benjamin  
 Morrison, Paul Albert  
 Myers, Larry Daniel  
 Oconnell, Brian John  
 Olson, Harold Martin

Pearson, Rufus Judson, III  
 Rabke, Walter Edward  
 Renzetti, Joseph Leo  
 Ringel, Duane Arthur  
 Robertson, William Edmond J.  
 Rohrbach, Richard Magee  
 Ross, Gerald Harry  
 Rumbold, William Walter, Jr.  
 Sahliman, Claire George  
 Schneider, John David  
 Scott, Gary Hugh  
 Shalar, Alexander  
 Shaw, Arthur Robinson  
 Sheaffer, Donald Ralph  
 Sherman, Myron Bernard  
 Smith, Erik Theodore, Jr.  
 Smith, Homer Francis, II  
 Stevens, Joseph Michael, Jr.  
 Stewart, Allen Jack  
 Stewart, Stephen Edgar  
 Stokes, Stephan Robert  
 Vaudreuil, Wilfred Joseph, J.  
 Wells, Donald Raymond  
 Wheeler, David Earl  
 Wilson, Ronald King  
 Wood, James Albert  
 Zimmermann, Gerard Alan

## JUDGE ADVOCATE GENERAL'S CORPS

Armstrong, Arthur John, Jr.  
 Berkley, Robert C.  
 Boasberg, Robert, Jr.  
 Bohaboy, Howard  
 Brown, Michael A.  
 Brush, James Dillon, II  
 Buchholz, Duane Carl  
 Burke, Charles Russell  
 Carroll, Paul F.  
 Closser, Daniel Penn, Jr.  
 Cohen, William David  
 Cromwell, James H.  
 Dalton, William Harvey  
 Derocher, Frederic George  
 Ellis, Donald Porter, Jr.  
 Fridell, Lane C.  
 Gall, William Dudley  
 Gilliam, Thomas Alfred, Jr.  
 Henkel, George Edward  
 Horst, Carl Henry  
 Hosken, Edward Watters, Jr.  
 Huff, David A.  
 Ise, William Henry  
 Kauffman, Robert K.  
 Kjos, Wendell Arthur  
 Kuhner, Robert Legier  
 Landen, Walter James  
 Little, Harvey Edward  
 Manning, Edward Francis  
 Martens, John Jerry  
 McCoy, Dennis Frederick  
 McLeran, Robert Harold  
 Michael, George Lewis, III  
 Norgaard, Kenneth Ray  
 Patterson, Donald Ross  
 Pierce, Charles David  
 Powell, George Butts, Jr.  
 Rapp, Michael Duer  
 Reuling, Todd Johnston  
 Riddle, Ervin A.  
 Rote, Edward A.  
 Sanchez, Francis P.  
 Sanftner, Thomas Richard  
 Sinor, Morris L.  
 Studer, John Armitage  
 Turner, Patrick Charles  
 Wigle, Gerald F.  
 Woods, Terrence Joseph

## MEDICAL SERVICE CORPS

Anderson, Francis Glen  
 Armstrong, Joseph Cunningham  
 Beckner, William McCarty  
 Bell, R. Thomas, III  
 Bond, James Calvin  
 Brown, Seth Edsel  
 Brown, Wayne Allen  
 Cannizzaro, John Silvio  
 Carnahan, Clarence Lee  
 Chateller, Paul Richard  
 Coan, Richard Manning  
 Cowan, Morris Joseph, Jr.

Curran, Patrick Michael  
 Cusick, Richard Allen  
 Deeter, Victor Raymond  
 Delaughter, John Douglas  
 Ferguson, John Christian  
 Funaro, Joseph Francis  
 Gannon, John Harry  
 Gay, Kenton William  
 Gillespie, Franklin Delano  
 Gooch, Roy Lee  
 Green, Charles Madison  
 Geogoire, Harvey Gilbert  
 Hartman, Carl Herman  
 Hatten, Arthur Dallas, Jr.  
 Henderson, S. Douglas  
 Hill, Thomas Alfred  
 Johnson, Robert Alton  
 Juda, Thaddeus, Albin  
 Laughlin, Leo Lemuel, Jr.  
 McAllister, Robert George  
 McGuire, James Stuart  
 Murrell, William Raymond  
 Nathan, Howard Wayne  
 Newell, Richard Lee  
 Parrish, William Carroll  
 Payton, Richard Alan  
 Peterson, Warren Roger  
 Rector, Douglas Eugene  
 Rice, Richard Timothy  
 Robinson, Patsy June  
 Rosplock, Jerome Donald  
 Santana, Frederick Joseph  
 Saye, Clarence Boswell  
 Schmutz, Clinton Elmer  
 Self, William Lee  
 Shaughnessy, Mary Kay  
 Skelly, Robert Stanley, Jr.  
 Smith, Lamar Richard  
 Theisen, Charles Joseph, Jr.  
 Tilton, Delmar Levo  
 Tomczyk, Frank Edward  
 Toops, Paul Edwin  
 Walker, Jerry M.  
 Warren, Joseph Edmond  
 Wesolowski, Carl Anthony

## NURSE CORPS

Ancelard, Madeline Mary  
 Armstrong, Susanne Russell  
 Arnold, Mary Ann  
 Benning, Luella May  
 Boyce, Virginia Edna  
 Campen, Kathryn Elizabeth  
 Cohagan, Mary Kathryn  
 Conway, Joan  
 Cote, Clarence William  
 Dexter, Marion Caroline  
 Dillon, Dolores Jo  
 Dunn, Glenda Gale  
 Foreman, Evelyn N.  
 Fox, Patricia Michele  
 Geraghty, Rosemary B.  
 Hausmann, Abigail Margaret  
 Henninger, Judith Erma  
 Hicks, Shirlee Christine  
 Hubbard, Carol Ann  
 Huskey, Bobby Gene  
 Janik, Barbara Ann  
 Kohn, Dorothy Ann  
 Leadford, Bonnie Ann  
 Lee, Elaine Elizabeth  
 Loughney, Juel Ann Margaret  
 Marks, Alita Claire  
 McCaughey, Anne Marie  
 McDonald, Patricia Kathalee  
 McKown, Frances Carroll  
 Medina, Elida Delosangeles  
 Megonnell, Joann Helen  
 Mudge, Blanche Schneider  
 Newton, Kathryn Eleanor  
 Oconnell, Anne Louise  
 Odom, Helen A.  
 Ormsby, Karen Arndt  
 Pack, Valaine  
 Peters, Shirley  
 Ricardi, Jean Cecilia  
 Riddell, June Elizabeth  
 Sheehan, Lona Wallace  
 Simer, Monica  
 Simpson, Barbara Lou  
 Skola, Nancy Ann

Smith, Joann Hennessy  
 Speckmann, Elissa Mary Ann  
 Staley, Patricia Louise  
 Thompson, Marjorie Christine  
 Tolar, Sara Campbell  
 Triplett, Audrain Marie  
 Wildeboer, Henrietta Mae  
 Witherow, Mary Ann  
 Word, Helena Mary  
 Yucha, Shirley Ann

## IN THE NAVY

The following-named officers of the Reserve of the U.S. Navy for temporary promotion to the grade of commander in the staff corps of the Reserve of the U.S. Navy, as indicated, subject to qualification therefor as provided by law:

## MEDICAL CORPS

Branson, William B.  
 Johnson, Roy M.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the line and staff corps, of the U.S. Navy, as indicated, subject to qualification therefor as provided by law:

## LINE

Carlisle, James A. Mills, Pelham E., III  
 Curland, James W. Moosally, Fred P., Jr.

## MEDICAL CORPS

Bayne, Gary G. Lewis, William J.  
 Carlus, Michael L. McKinzie, Charles E.  
 Cohen, Richard McLaughlin, Charles R.  
 Cummings, Nickie Melaragno, Anthony T.  
 Fawcett, William A., Milbern, Stephen M.  
 Fitzsimmons, Michael Miller, Samuel J., III  
 A. Mitas, John A., II  
 Freeland, George R. Nelson, Robert C., Jr.  
 Goad, Robert F. Scanlon, Thomas S., III  
 Govin, Gerald G. Tarquinio, Thom A.  
 Hardy, William L. Taylor, John H.  
 Harman, Richard L. Ware, Lewis L., Jr.  
 Heckel, Charles G. Wilcox, John R., Jr.  
 Hilton, Edwin B. Williams, David L.  
 Hunt, Clyde M., Jr. Withers, Benjamin F., III  
 Judice, Donald T.  
 Koett, John W.

## CHAPLAIN CORPS

Grove, John W.  
 McManus, William G., Jr.  
 Peterson, Jay D.

## DENTAL CORPS

Bartz, Raymond D. Hewlett, Thomas M.  
 Carlson, Thomas D. Moore, Paul R.  
 Clark, Dennis P. Myers, George R.  
 Deluca, Alfonso T. Phillips, Charles C., III

## NURSE CORPS

Ingram, Charles H.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, of the U.S. Navy, as indicated, subject to qualification therefor as provided by law:

## LINE

Bailey, James C., Jr. Fullbright, Robert W.  
 Baker, William S. Gardner, Brian M.  
 Baxter, Michael J. Gardner, James A.  
 Bishop, Richard W. Goar, Everett L., III  
 Blaisdell, James H. Greene, Stephen D.  
 Block, Terry J. Griffin, Joe E.  
 Boyd, John T. Groux, Roger C.  
 Broadley, Timothy S. Grubaugh, Clarence E.  
 Casper, David C. Honig, Joseph F.  
 Conroy, Thomas, Jr. Johnson, Gregory H.  
 Cranston, James S. Johnston, Terry W.  
 Curry, Peter W. Kelly, Frank B.  
 Davis, John R. Kyzer, Braddock K., Jr.  
 Dean, Jeffrey S. Lake, Gerald E.  
 Dereg, Charles A. Lamb, Michael P.  
 Dolle, James E. Link, Joseph W.  
 Dorsey, Danny E. Luhan, John B.  
 Duignan, Michael J. Maniscalco, Ronald J.  
 Eldridge, Michael S. Mauro, Charles T.  
 Etter, Stephen S. McBride, John G.  
 Foulk, Donald L., Jr. McLean, Bruce D.

McNamara, Robert J. Rohlfs, H. Warren, Jr.  
 Milligan, William F., Schneberger, Scott L.  
 Jr. Sprinkle, Charles T.  
 Mills, Nile D. Staples, Ralph E., Jr.  
 Moore, William J. Talton, George M., III  
 Morton, Thomas W. Taylor, Ronald D.  
 Nelson, James L. Urban, Joseph  
 Noe, Thomas W. Wakeman, Mark  
 O'Connell, Patrick M. Watson, Frederick D.  
 Pagnotta, Alan R. Xefteris, Constantine L.  
 Pulsinelli, John A.  
 Rathneal, Melvin D.

## SUPPLY CORPS

Carpenter, Levon H.  
 Mitchell, Lonsdale C.  
 Tabler, Alan T.

## CHAPLAIN CORPS

Mennis, James F.

## CIVIL ENGINEER CORPS

Foster, James F.  
 Parisi, Anthony M.

## MEDICAL SERVICE CORPS

Crabbe, Joel R. Mastervich, Mark M.  
 Dean, Larry M. Penkunas, John J.  
 Mahlin, Patrick L. Pinkerton, Randy M.  
 Martin, Early M.

## NURSE CORPS

Benson, Donna J. Kozlowski, Janet G.  
 Brown, David A. Lea, Rita M.  
 Gantz, Gary S. Muller, Geraldine E.  
 Henbest, David Neirynck, William E.

Com. Thomas V. McManamon for temporary promotion to the grade of captain in the Medical Corps of the Reserve of the U.S. Navy, subject to qualification therefor as provided by law:

The following-named officers of the U.S. Navy for transfer to and appointment in the Supply Corps in the permanent grade in lieutenant (junior grade).

Lyons, Daniel W.  
 Soule, William E.

Ensign Wayne E. Anderson, of the U.S. Navy, for transfer to and appointment in the Supply Corps in the permanent grade of ensign.

Lt. (junior grade) Walter T. Sorrow, of the U.S. Navy for transfer to and appointment in the Supply Corps as permanent ensign and temporary lieutenant (junior grade).

Lt. Com. Kent A. Willever, of the U.S. Navy for transfer to and appointment in the Judge Advocate General's Corps in the permanent grade of lieutenant and temporary grade of lieutenant commander.

Lt. (junior grade) Dan E. Babarik, of the U.S. Navy for transfer to and appointment in the Judge Advocate General's Corps in the permanent grade of lieutenant (junior grade).

Lt. James A. Carlisle for permanent appointment to the grade of lieutenant in the line of the U.S. Navy, subject to qualification therefor as provided by law.

## IN THE MARINE CORPS

The following-named U.S. Naval Academy graduates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Ahle, Dirk R. Born, Timothy B.  
 Allemand, Christopher D. Buckiewicz, Bruce A.  
 Andriko, Stephen W. Carroll, Robert M.  
 Arline, Johnny E., Jr. Chinn, Courtney D.  
 Bailey, Cozy E. Clark, Robert B.  
 Becker, Christopher L. Connolly, Patrick D.  
 Biggs, Timothy P. Cooper, Cleveland E.  
 Brechtel, William J., Jr. Cuff, James J., Jr.  
 Jr. Curdy, Brian E.  
 Brewington, Emmitt D. Dahlen, Robert F. N.  
 Day, Jeremiah C.  
 Bridgeman, Randolph D. Dempsey, Thomas L.  
 R. Dillon, Darrel W.  
 Bronars, Bruce E. Dixon, William H., Jr.  
 Brown, John D. Elwell, John P.  
 Estlow, Rex A.



Everett, Willie M.  
Faigley, Phillip A.  
Flynn, George J., Jr.  
Forman, William M.  
Gaffney, Steven J.  
Garrett, Donald M.  
Giuda, Robert J. W.  
Gonda, Daniel B.  
Gustin, Paul R., Jr.  
Hammes, Thomas X.  
Hampton, Myron L.  
Harris, William M.  
Hart, Kevin P.  
Howey, William J.

Hummel, Bernard S.  
Ingram, Jonathan D.  
Jinnett, Michael J.  
Johnson, Floyd J. III  
Lawson, Henderson Jr.  
Leahy, Thomas G.  
Lee, Harry A.  
Lindemann, Joel G.  
Lindsey, Scott A.  
Lundeen, Gary A.  
Malone, William H.  
Maximuck, Walter Jr.  
McComb, Francis M. M.

Meier, Michael D.  
Merrell, William  
Miller, Gary L.  
Montgomery, William J.  
Moore, Jacques J. Jr.  
Moore, Roger K.  
Muthler, Daniel J.  
Neundorfer, David H.  
Newcomer, Lawrence A.  
Ortiz, Pierre J. Jr.  
Penman, David N.  
Phillips, James A.

Plechash, Alexander  
Poulos, Dennis D.  
Richter, James S.  
Robinson, James W. Jr.  
Roepeke, Daniel W.  
Rybolt, Richard A.  
Seibel, William E.  
Seney, Scott G.  
Sichko, William J. Jr.  
Simon, David  
Simons, Jeffrey R.  
Stevens, Michael H.

Stevens, Robert A.  
Stratmann, George E. Jr.  
Theeuwen, John D. Jr.  
Thumm, Michael W.  
Tryon, Richard T.  
Turner, Stephen A.

Warfle, Dayton F. Jr.  
Wehrle, Daniel A.  
Wilcox, Robert G.  
Wolf, Larry J.  
Wood, David B.  
Young, Randolph F.  
Zakula, Robert G.

The following named (Navy enlisted scientific education program) graduate for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Hehl, Charles W.

## HOUSE OF REPRESENTATIVES—Monday, April 28, 1975

The House met at 12 o'clock noon.

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

*God is spirit and they that worship Him must worship Him in spirit and in truth.—John 4: 24.*

O God and Father of us all, at the beginning of a new day we turn to Thee acknowledging our dependence upon Thee and praying for wisdom to walk in Thy ways and for faith that our steps may not falter in the fields of fruitful endeavors on behalf of our beloved country. Give us to see that our coming to Thee is in vain unless it brings us closer to one another and nearer to the members of our human family. With Thee and with one another we can face this hour and live through these days with honor bright, faith firm, and courage true.

Guide our Nation through this critical period to an era of enduring peace, lasting brotherhood, and abiding good will.

In the spirit of Christ we pray. 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 with amendments in which the concurrence of the House is requested bills of the House of the following titles:

H.R. 4481. An act making emergency employment appropriations for the fiscal year ending June 30, 1975, and for other purposes; and

H.R. 4485. An act to provide for greater homeownership opportunities for middle-income families and to encourage more efficient use of land and energy resources.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4481) entitled "An act making emergency employment appropriations for the fiscal year ending June 30, 1975, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCLELLAN, Mr. MAGNUSON, Mr. STENNIS, Mr.

PASTORE, Mr. ROBERT C. BYRD, Mr. PROXMIER, Mr. MONTTOYA, Mr. BAYH, Mr. YOUNG, Mr. HRUSKA, Mr. CASE, Mr. BROOKE, Mr. HATFIELD, Mr. MATHIAS, Mr. STEVENS, and Mr. BELLMON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4485) entitled "An act to provide for greater homeownership opportunities for middle-income families and to encourage more efficient use of land and energy resources," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PROXMIER, Mr. SPARKMAN, Mr. WILLIAMS, Mr. MCINTYRE, Mr. CRANSTON, Mr. BROOKE, Mr. PACKWOOD, and Mr. GARN to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to a bill of the Senate (S. 249) entitled "An act to amend the Securities Exchange Act of 1934, and for other purposes," agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PROXMIER, Mr. WILLIAMS, Mr. MCINTYRE, Mr. TOWER, and Mr. BROOKE to be the conferees on the part of the Senate.

The message also 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 Senate to the bill (H.R. 6096) entitled "An act to authorize funds for humanitarian assistance and evacuation programs in Vietnam and to clarify restrictions on the availability of funds for the use of U.S. Armed Forces in Indochina, and for other purposes."

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

S. 435. An act to amend section 301(b) (7) of the Agricultural Act of 1938, as amended, to change the marketing year for wheat from July 1-June 30, to June 1-May 21, and

S. Con. Res. 19. Concurrent resolution relating to the World Food Conference of 1976 in Ames, Iowa.

S. Res. 69. Resolution disapproving the proposed deferral of budget authority for Federal-Aid Highways, which deferral (D75-17) was set forth in a special message transmitted by the President to the Congress on September 20, 1974, under section 1013 of the Impoundment Control Act of 1974.

The message also announced that the President pro tempore, pursuant to Public Law 93-526, appointed Mr. NELSON and Mr. WEICKER as members on the part

of the Senate, of the National Study Commission on Records and Documents of Federal Officials.

The message also announced that the Vice President, pursuant to Public Law 61-435, appointed Mr. DOLE to the National Forest Reservation Commission in lieu of Mr. Aiken, retired.

### APPOINTMENT OF CONFEREES ON H.R. 4481, EMERGENCY EMPLOYMENT APPROPRIATIONS FOR FISCAL YEAR 1975

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4481) making emergency employment appropriations for the fiscal year 1975, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentlemen from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, WHITTEN, SIKES, PASSMAN, EVINS of Tennessee, BOLAND, FLOOD, STEED, SLACK, McFALL, YATES, CEDERBERG, MICHEL, CONTE, MYERS of Indiana, and MILLER of Ohio.

### CONFERENCE REPORT ON H.R. 6096, AUTHORIZING FUNDS FOR HUMANITARIAN ASSISTANCE AND EVACUATION IN VIETNAM

Mr. MORGAN submitted the following conference report and statement on the bill (H.R. 6096) to authorize funds for humanitarian assistance and evacuation programs in Vietnam and to clarify restrictions on the availability of funds for the use of U.S. Armed Forces in Indochina, and for other purposes:

#### CONFERENCE REPORT (H. REPT. No. 94-176)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6096) to authorize funds for humanitarian assistance and evacuation programs in Vietnam and to clarify restrictions on the availability of funds for the use of United States Armed Forces in Indochina, 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 House recede from its disagreement to the amendment of the Senate to the text of the bill 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 this Act may be cited as the "Vietnam Humanitarian Assistance and Evacuation Act of 1975".

SEC. 2. Funds hereafter made available under section 36 of the Foreign Assistance Act of 1974 may be used on such terms and conditions as the President may deem appropriate for humanitarian assistance to and evacuation programs from South Vietnam without regard to the provisions of section 36(a)(1), section 36(a)(6), section 38(a)(1), or the third sentence of section 37(b) of such Act and notwithstanding any other provision of law.

SEC. 3. (a) It is traditional for the American people to be generous and compassionate in helping the victims of foreign conflicts and disasters. In keeping with that tradition it shall be the policy of the United States to provide humanitarian assistance to help relieve the suffering of refugees and other needy people who are victims of the conflict in South Vietnam.

(b) Notwithstanding any other provisions of law, in addition to amounts made available under section 2 of this Act, and in addition to those amounts otherwise available for assistance to South Vietnam, there are authorized to be appropriated to the President for the fiscal year 1975, to remain available until expended, \$150,000,000, under such terms and conditions as he may determine, to provide humanitarian assistance to refugees and other needy people who are victims of the conflict in South Vietnam.

(c) To insure that the humanitarian assistance provided under this section is provided to refugees and other needy people who are victims of the conflict in South Vietnam, such assistance shall be provided, to the extent feasible, under the direction and control of international organizations or under the auspices of voluntary relief agencies. To the extent that such assistance is so provided, it may be furnished only under the direct supervision and control of representatives of such organizations or agencies.

(d) Not less than ninety days after the date of enactment of this Act and not later than the end of each ninety-day period thereafter, the President shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate a report with respect to humanitarian assistance provided under this Act describing fully and completely—

- (1) the amount of each type of humanitarian assistance;
- (2) the expected recipients of such assistance;
- (3) the names of all organizations and agencies involved in the distribution of such assistance; and
- (4) the means with which such distribution is carried out.

SEC. 4. (a) If the President determines that the use of United States Armed Forces is necessary to evacuate citizens of the United States and their dependents from South Vietnam, the President may, in accordance with the provisions of subsection (b), use such Armed Forces in a number and manner essential to and directly connected with the protection of such United States citizens and their dependents while they are being evacuated. In the event that such evacuation cannot be accomplished without involving such Armed Forces in hostilities or in situations where imminent involvement in hostilities is clearly indicated by the circumstances, such evacuation shall, if feasible, be accomplished in a single operation. Other than the minimum number of personnel determined by the President to be essential to carry on critical functions of the United States mission or to carry out such evacuation, all such citizens who are employed by, or in the service of, the United States, and all such dependents, shall be evacuated as rapidly as possible after the date of enactment of this Act.

(b) If the President uses the United

States Armed Forces for the purposes stated in subsection (a) of this section, he shall submit a report on the use of those forces as required by section 4(a) of the War Powers Resolution (including the certification required under subsection (c) of this section) and shall comply with all other provisions of that resolution.

(c) In addition to the information required under section 4(a) of the War Powers Resolution, the President shall also certify pursuant to subsection (b) of that section that—

- (1) there existed a direct and imminent threat to the lives of such citizens and their dependents; and
- (2) every effort was made to terminate the threat to such citizens and their dependents by the use of diplomatic and any other means available other than use of the Armed Forces; and

(3) other than such essential personnel, such citizens and their dependents are being evacuated as rapidly as possible.

SEC. 5. In carrying out the withdrawal of such United States citizens and their dependents from South Vietnam pursuant to section 4 of this Act, the President is authorized to use the United States Armed Forces to assist in bringing out—

- (1) dependents of permanent residents of the United States;
- (2) Vietnamese nationals eligible for immigration to the United States by reason of their family relationship to citizens of the United States; and
- (3) other foreign nationals to whose lives a direct and imminent threat exists; if he determines and certifies in writing to the Congress pursuant to section 4(b) of the War Powers Resolution that—

(A) every effort has been made to terminate the threat to such persons by the use of diplomatic and any other means available other than the use of the Armed Forces; and

(B) the number of such United States Armed Forces will not be required beyond those essential to and directly connected with the evacuation of citizens of the United States and their dependents; and

(C) the duration of the use of such United States Armed Forces to hostilities will not thereby be extended; and

(D) such evacuation will be confined to areas where United States forces are present for the purpose of protecting citizens of the United States and their dependents while they are being evacuated.

SEC. 6. The authority contained in this Act is intended to constitute specific statutory authorization within the meaning of section 8(a) of the War Powers Resolution but shall not be considered specific statutory authorization for purposes of sections 5 (b) and (c) of the War Powers Resolution.

SEC. 7. Nothing contained in section 839 of Public Law 93-437, section 30 of Public Law 93-189, section 806 of Public Law 93-155, section 13 of Public Law 93-126, section 108 of Public Law 93-52, or any other comparable provision of law shall be construed as limiting the availability of funds for the use of the Armed Forces of the United States for the evacuation programs authorized by this Act.

SEC. 8. (a) The President shall transmit each day to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate a report setting forth fully and completely—

- (1) the number of citizens of the United States and their dependents who left Vietnam the previous day, including the number of Embassy personnel and private contract personnel among such persons;
- (2) the number of such persons remaining in South Vietnam; and
- (3) the number of Vietnamese nationals who left South Vietnam the previous day with the assistance of the United States.

(b) Such reports shall be transmitted until

such date as the Speaker of the House of Representatives and such committee may direct. The information may be submitted on a confidential basis if the President deems it advisable.

SEC. 9. Not more than four days after the date of enactment of this Act, the President shall transmit to the Speaker of the House of Representatives and the chairmen and ranking minority members of the Committees on Foreign Relations, Judiciary, and Armed Services of the Senate a report describing his general plan for the evacuation from Vietnam of the persons described in sections 4 and 5 of this Act.

SEC. 10. It is the sense of the Congress that as the humanitarian aid provided under this Act is made available in South Vietnam, the President is requested to use all appropriate diplomatic means at his disposal to obtain (1) an updated accounting of Americans listed as missing in action in Southeast Asia, and (2) the return of the remains of known American dead. The President is further requested to report to the Congress within 30 days after aid is made available in Southeast Asia, the diplomatic actions being taken.

SEC. 11. No funds authorized in this Act shall be used, directly or indirectly, to aid the Democratic Republic of Vietnam (DRV) or the Provisional Revolutionary Government (PRG) nor shall any funds authorized under this Act be channeled through or administered by the DRV or the PRG.

And the Senate agree to the same.

THOMAS E. MORGAN,  
CLEMENT J. ZABLOCKI,  
WAYNE L. HAYS,  
L. H. FOUNTAIN,  
DANTE FASCELL,  
WM. BROOMFIELD,  
EDWARD J. DERWINSKI,

*Managers on the Part of the House.*

JOHN SPARKMAN,  
FRANK CHURCH,  
H. H. HUMPHREY,  
CLIFFORD P. CASE  
J. JAVITS,  
HUGH SCOTT,

*Managers on the Part of the Senate.*

#### JOINT EXPLANATORY 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 Senate to the bill H.R. 6096, the Vietnam Humanitarian Assistance and Evacuation Act of 1975, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate to the text of the bill with an amendment which is a substitute for both the text of the House bill and the Senate amendment thereto.

Except for clarifying, clerical, and necessary conforming changes, the differences between the two Houses and the adjustments made in the committee of conference are noted below.

#### SHORT TITLE

The House bill contained a short title which cited the Act as the "Vietnam Humanitarian Assistance and Evacuation Act of 1975".

The Senate amendment contained a short title which cited the Act as the "Vietnam Contingency Act of 1975".

The Senate receded.

#### FUNDING AUTHORIZATION

The House bill authorized the appropriation of \$150 million for fiscal year 1975 for humanitarian assistance to and evacuation programs from South Vietnam. The House version also authorized the use of Indochina economic aid funds previously authorized



under the Foreign Assistance Act of 1974, for humanitarian purposes without regard to the restrictions of sections 36(a)(1), 36(a)(6), 37(b) (third sentence) and 38(a)(1).

The Senate amendment authorized the appropriation of \$100 million for fiscal year 1975 for humanitarian and withdrawal purposes and waived all the provisions of sections 36 and 38.

In addition the Senate version established a policy to provide humanitarian aid for war victims throughout all of South Vietnam and Cambodia, to be provided through channels acceptable to all parties; and authorized the appropriation of \$150 million for fiscal year 1975 for humanitarian assistance to refugees and other victims of the conflicts in South Vietnam and Cambodia, to be furnished under the direction and control of the United Nations or under the auspices of other international organizations, international agreements, or voluntary agencies, to be distributed only under the direct supervision and control of representatives of such organizations and agencies.

The Senate amendment also required the President to report to the Congress every 90 days (A) the amount of each type of economic assistance provided under the bill, (B) the expected recipients, (C) the distributing agencies, and (D) the means of distribution.

The committee of conference agreed to authorize the use of Indochina economic aid funds previously authorized under the Foreign Assistance Act of 1974, but not yet appropriated, for humanitarian assistance to, and evacuation programs from, South Vietnam without regard to the funding limitations set in section 36(a)(1), section 36(a)(6), section 38(a)(1), or the third sentence of section 37(b) of such Act.

The committee of conference also agreed to a new authorization of appropriations of \$150 million for humanitarian assistance in South Vietnam. It is the intent of the committee of conference that funds made available under this section be available to administer these humanitarian programs for victims of the conflict, wherever they may be located.

It is the intention of the conference that such programs be carried out under the direction and control of international organizations and voluntary relief agencies, located in the United States and abroad, to the extent feasible. In order to insure that assistance so provided is actually delivered to refugees and others in need, the section requires that the assistance only be furnished under the direct supervision and control of representatives of the international organizations and voluntary agencies. The conferees expect the executive branch to make every reasonable effort to involve these organizations and agencies in this humanitarian effort. Finally, the section requires quarterly reports to the Congress which would describe the amount and nature of the assistance provided by the Act, the expected recipients, the organizations and agencies involved in the distribution of the assistance, and the means by which the assistance is distributed. This reporting requirement should not be construed to require the imposition of additional U.S. Government inspections and audits on the distributing agencies and organizations, if such requirements would substantially impede or diminish the involvement of these agencies and organizations in the programs authorized by this section.

The conferees have deleted the provisions in the Senate bill authorizing humanitarian assistance to refugees and war victims in Cambodia and a provision relative to Public Law 480 food assistance to Cambodia solely because the retention of these provisions of the Senate version would have subjected the conference report to a point of order under the House rules. The managers of both the House and the Senate are aware that under existing law food assistance for humanitarian purposes can be supplied to needy people

in Cambodia and urge that executive branch officials give continuing consideration to requests for food and other assistance from international organizations and voluntary relief agencies to the extent such assistance may be provided under existing law. As to Cambodian refugees who have fled from Cambodia, the conferees expect that the United States will provide appropriate assistance to those refugees through international organizations and voluntary agencies through whatever authority and funds that are available for such purposes, including the Migration and Refugee Assistance Act.

There is no funding authorization in this Act for military assistance programs in South Vietnam.

#### AUTHORIZATION OF USE OF UNITED STATES ARMED FORCES FOR EVACUATION PROGRAMS IN VIETNAM

The House bill had no express authorization for the use of U.S. Armed Forces but defined "evacuation" as one "without the use of military force, if possible, but should it become necessary and essential, with the minimum use of necessary force" to remove the categories described in the House bill.

The Senate amendment authorized the President to use U.S. Armed Forces to assist in withdrawing Americans and their dependents and endangered foreign nationals, and placed limitations on the use of those forces. If feasible, a single operation was required where imminent involvement in hostilities was indicated.

The House receded. It is the intention of the committee of conference that references in the conference report to the use of the U.S. Armed Forces are not intended to relate to the normal logistics and related services which may be performed by the Department of Defense, using military personnel in a noncombat situation, on a reimbursable basis under the Foreign Assistance Act and other laws.

#### REPORTING REQUIREMENTS REGARDING USE OF ARMED FORCES IN CONNECTION WITH EVACUATION OF AMERICANS AND THEIR DEPENDENTS

The House bill did not refer to the provisions of section 4 of the War Powers Resolution which require that the President submit reports to the Congress in connection with the introduction of U.S. combat forces into a foreign country or the introduction of forces into a situation involving actual or imminent hostilities.

The Senate amendment required that if it is essential to employ the Armed Forces in withdrawal operations, a report be filed as required by Section 4 of the War Powers Resolution, and that that report certify:

1. That a direct and imminent threat exists to the lives of U.S. citizens and their dependents;
2. That every effort was made to terminate the threat by means other than the use of forces; and
3. That, with the exception of essential personnel, such citizens and their dependents are being evacuated as rapidly as possible.

The House receded.

#### EVACUATION OF FOREIGN NATIONALS

The House bill authorized the use of minimum necessary force to evacuate, in addition to American citizens, their dependents, Vietnamese nationals eligible for immigration to the United States by reasons of their relationships to American citizens, and other foreign nationals "to whose lives a direct and imminent threat exists". Military force employed for this last purpose may not exceed that necessary to carry out the evacuation of the three categories of persons. The House bill also stipulated that the authority with respect to the last category does not extend to any action or conduct not essential to effectuate and protect the evacuation of the persons referred to above.

The Senate amendment authorized the

President to use Armed Forces to assist in bringing out endangered foreign nationals if he certifies, pursuant to section 4(b) of the War Powers Resolution, that:

1. Every effort has been made to terminate the threat by other than military force;
2. A direct and imminent threat exists to the lives of such individuals;
3. The number of American forces used to evacuate foreign nationals will not be greater than those essential to and directly connected with a withdrawal of American citizens;
4. The duration of the use of such forces will not be extended; and
5. The withdrawal will be confined to areas where United States Forces are present for the purpose of protecting Americans while they are being withdrawn.

The conference report adopts the authorities and restrictions provided in the Senate version but adopts the definition of foreign nationals eligible for evacuation under the Act which was part of the House version.

#### WAR POWERS RESOLUTION

The House bill stated that nothing in this Act is to be construed in derogation of the War Powers Resolution or to constitute a specific authorization for the use of Armed Forces within the meaning of sections 5 (b) and (c) of such Resolution.

The Senate amendment stated that the authority of this Act is intended to constitute specific authorization within the meaning of section 8(a) of the War Powers Resolution and is not a specific authorization for the purpose of section 5(c) of such Resolution, and required the removal of such forces by concurrent resolution if Congress directs.

The conference report provides that the authority contained in the Act is intended to constitute specific statutory authorization within the meaning of section 8(a) of the War Powers Resolution but shall not be considered specific statutory authorization for the purposes of sections 5 (b) and (c) of the War Powers Resolution. This reference incorporates the time limitations and termination procedure of section 5(b) of the War Powers Resolution and requires that such forces be removed by the President if the Congress so directs by concurrent resolution under section 5(c) of the Resolution.

#### WAIVER OF PROHIBITIONS ON THE USE OF FUNDS FOR THE USE OF U.S. FORCES IN EVACUATION

The House bill waived prohibitions on the use of funds for combat activities in Vietnam, in five public laws, section 839 of Public Law 93-437, section 30 of Public Law 93-189, section 806 of Public Law 93-155, section 13 of Public Law 93-126, section 108 of Public Law 93-52 and the precautionary phrase, "or any other comparable provision of law" to the extent necessary for the evacuation programs authorized in that bill.

The Senate amendment waived the same five prohibitions, plus section 741 of Public Law 93-238, and section 307 of Public Law 93-50, "only to the extent necessary" to use U.S. armed forces to withdraw U.S. citizens and their dependents from South Vietnam. The Senate amendment did not contain the precautionary phrase "or any other comparable provision of law."

The Senate receded.

#### DAILY WITHDRAWAL REPORT

The House bill contained no provision requiring a daily withdrawal report.

The Senate amendment required a daily report to the Speaker and to the Senate Committee on Foreign Relations, as long as the recipients desire such reports, on the numbers of Americans and dependents who left Vietnam the previous day, broken down by government and private contract personnel. The number remaining in South Vietnam, and the number of South Vietnamese who left South Vietnam the previous day with U.S. assistance.

The House receded.

## WITHDRAWAL PLAN

The Senate amendment required the President to submit, within 48 hours of enactment, a report to the Speaker and to the Chairman and ranking minority members of Senate Foreign Relations, Judiciary and Armed Service Committees, a report describing his general plan for withdrawal of U.S. citizens and their dependents and for withdrawal of endangered foreign nationals.

The House bill contained no provision requiring the submission to the Congress of a withdrawal plan.

The House receded, with an amendment extending the time period within which a report is required from 48 hours to 4 days.

## MISSING-IN-ACTION REPORT

The House bill contained a sense of the Congress provision requesting that, as humanitarian assistance is being made available to South Vietnam, the President use all appropriate diplomatic means to obtain:

1. An updated accounting of Americans missing in action; and
2. The return of the remains of known American dead.

The House bill further requests that within 30 days after aid is made available in Southeast Asia, the President report to the Congress the diplomatic actions being taken.

The Senate amendment contained no comparable provision.

The Senate receded.

## PROHIBITION ON ASSISTANCE

The House bill prohibited the use of funds authorized in this Act to aid, directly or indirectly, the Democratic Republic of Vietnam (DRV) or the Provisional Revolutionary Government (PRG) or the channeling or administration of funds by the DRV or the PRG.

The Senate amendment contained no comparable provision.

The Senate receded, with an understanding that the provision is not intended to prohibit assistance to refugees and other needy people who are victims of the conflict located in the territories controlled by these entities, if such assistance is channeled through and directly administered by international organizations or private voluntary agencies, and public facilities (for transportation, etc.) are only used in a manner that is similar to the common practice of these agencies and organizations in noncommunist territories.

## EVACUATION OF DESERTERS FROM THE U.S. MILITARY

The House bill contained no provision relating to the evacuation of deserters from the U.S. military.

The Senate amendment contained a provision which expressed the sense of Congress that the United States not abandon in Vietnam deserters from the U.S. military who remain in that country, but that upon their return to the United States they be turned over to proper authorities for prosecution in accordance with the law.

The Senate receded, with the understanding that the provision would have been subject to a point of order in the House.

## RESCISSION OF PROVISIONS THROUGH CONCURRENT RESOLUTION

The House bill provided that any provisions of the bill may be rescinded by the Congress through concurrent resolution.

The Senate amendment contained no comparable provision.

The House receded, because the committee of conference believed that the safeguards contained in Section 6, concerning the War Powers Resolution, made the provision unnecessary.

## DELIVERY OF PUBLIC LAW 480 SHIPMENTS TO CAMBODIA

The House bill did not contain a provision relating to delivery of Public Law 480 shipments to Cambodia.

The Senate amendment required Public Law 480 food shipments scheduled for delivery to Cambodia on or before the date of enactment of this bill to be delivered to Cambodia through international channels, provided that the assistance is requested by the Cambodian Government.

The Senate receded.

## FINDING OF CONGRESS ON NORTH VIETNAMESE AND VIETCONG VIOLATION OF PARIS PEACE AGREEMENT

The House bill stated the finding of the Congress that this bill is made necessary by North Vietnamese and Vietcong military aggression in flagrant violation of the Paris Peace Agreement.

The Senate amendment contained no comparable provision.

The House receded. The committee of conference believes that a formal assessment of blame could have undesirable consequences with respect to the overall objectives of the Act and, specifically, with respect to obtaining information about Americans listed as missing in action in Southeast Asia and the return of the remains of unknown American dead.

THOMAS E. MORGAN,  
CLEMENT J. ZABLOCKI,  
WAYNE L. HAYS,  
L. H. FOUNTAIN,  
DANTE FASCELL,  
WM. BROOMFIELD,  
EDWARD J. DERWINSKI,

*Managers on the Part of the House.*

JOHN SPARKMAN,  
FRANK CHURCH,  
H. H. HUMPHREY,  
CLIFFORD P. CASE,  
J. JAVITS,  
HUGH SCOTT,

*Managers on the Part of the Senate.*

## LEGISLATION ON MEDITERRANEAN FRUIT FLY ERADICATION

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

Mr. DE LA GARZA. Mr. Speaker, the Mediterranean fruit fly is an incipient threat to several subtropical fruit and vegetable producing areas of the United States. One of those areas is in my south Texas district.

This pest is capable of inflicting disastrous damage on 167 varieties of fruits and plants, including citrus and stone fruits, melons, tomatoes, and peppers. It has infested sections of the United States several times and each time has been successfully combated through the efforts of the U.S. Department of Agriculture and the producers involved.

The most serious infestations have been in Florida. In my own district, however, in the Brownsville area, it was necessary in 1966 to carry out a Mediterranean fly eradication program covering some 7,000 acres of productive land.

The pest is at present well established in the State of Hawaii. It flourishes in the countries of Central America. The Department of Agriculture is deeply concerned with keeping it away from the U.S. mainland.

For this reason, I have introduced a bill to clarify the authority of the Secretary of Agriculture to carry out pest eradication programs in cooperation with other countries. For a number of years such programs have been conducted cooperatively between the United

States and Mexico and have proved outstandingly successful in meeting substantial threats to crop production.

My bill would serve to remove any question of the Agriculture Department's authority to extend these programs. It would ensure the feasibility of an extensive effort to prevent the threatened invasion of the Mediterranean fruit fly, which if it should come would inevitably result in tremendous losses to fruit and vegetable producers in Texas, Louisiana, Florida, and elsewhere.

The matter is urgent. The Department of Agriculture has available contingency funds with which to undertake this necessary program without further appropriations. I hope the House will see fit to act speedily and favorably on my bill.

## EVACUATING AMERICANS FROM SOUTH VIETNAM

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

Mr. JOHN L. BURTON. Mr. Speaker, I would again like to address myself to the fact that the evacuation of Americans from South Vietnam is not proceeding as rapidly as it should.

The Reuters report in the New York times yesterday stated that there were between 900 and 1,000 Americans left in South Vietnam. This figure did not include their non-American dependents. We have not been able to get the figures for noncitizen dependents from the State Department since last Thursday. It was stated that some 262 Americans were evacuated from South Vietnam during the previous 24-hour period, during which time 6,300 South Vietnamese were evacuated.

I have heard today that the figure of Americans is now over 900, which means that less than 100 were evacuated.

I would like to quote from the remarks made by the junior Senator from Kentucky (Mr. FORD) where he quoted Dean Brown as saying:

If Saigon is under attack and the airfield is under attack, that is that, and that is when you go in for the last haul of the Americans.

I think the Americans should be out now and their dependents should be out now, and certainly there is no reason for them to be there in danger at this time.

## AD HOC COMMITTEE TO REVIEW LIQUID METAL FAST BREEDER REACTOR PROJECT

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

Mr. McCORMACK. Mr. Speaker, as most of the Members are probably aware, the Joint Committee on Atomic Energy has created a new special ad hoc committee to review this Nation's liquid metal fast breeder reactor project.

Tomorrow, at 2 p.m., the subcommittee will hold its first briefing. Dr. Gerald F. Tape, U.S. Ambassador to the International Atomic Energy Commission and president of Associated Universities Inc., will relate the historical developments of



this Nation's civilian nuclear power program, starting with the early days of the Manhattan Project and progressing through the decision that made the liquid metal fast breeder reactor, as the President designated it, "this Nation's No. 1 energy project."

In addition, Mr. Ed Johnson, head of E. R. Johnson and Associates, will describe the uranium fuel cycle, describing for the Members the entire process, starting with the mining of uranium, and following it through milling and purification, the fabrication of fuel elements, what happens in a nuclear reactor, how uranium is recycled, and the plutonium recycle concept.

This briefing will be extremely valuable for any Member who wish to update himself on this subject. It will be held in the Joint Committee public hearings room in room S-407. All Members are urged to attend. The meeting is open to the public.

#### LEGISLATIVE PROPOSAL FOR THE NATIONAL PORTRAIT GALLERY

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

Mr. YATES. Mr. Speaker, the National Portrait Gallery Act of 1962 defines portraiture as "painted or sculpted likenesses." The original bill approved by the Board of Regents of the Smithsonian Institution in January 1961, and introduced by former Senator Clinton P. Anderson in February 1961, and defined portraiture as "portraits and reproductions thereof made by any means or processes, whether invented or developed heretofore or hereafter." The more restrictive language that became part of the final legislation was substituted by the Senate committee at the request of the Librarian of Congress who argued that the National Portrait Gallery would otherwise enter into competition with the Library of Congress in the collecting of prints and photographs.

It has become increasingly clear over the years that the National Portrait Gallery cannot fully perform its legislated functions, either in exhibition or in research, under the existing restriction. More than half of our national history has occurred since the invention of photography. Many Americans who should be represented in our National Portrait Gallery are best portrayed by photographs, and some are portrayed only by photographs. As a center for the study of history through portraiture, the Gallery requires photographic and printed reproductions of portraits in all media not in its own collection.

Given the very restricted area in which the Portrait Gallery would collect and display prints, photographs, films, and other likenesses, competition with the collections of the Library of Congress would be minimal. Indeed, we are confident that sensible cooperative arrangements between the Library and the Gallery can be worked out.

No other Smithsonian Museum is prevented by law from collecting prints and photographs in its areas of specialization; it is difficult to imagine that any of

them could operate effectively if it were so limited.

#### PERSONAL EXPLANATION

Mr. MIKVA. Mr. Speaker, on Thursday, April 24, I was obliged to be in Illinois on district business and was therefore unable to vote on certain bills considered that day. Had I been present, I would have voted "Yea" on final passage of the Securities Reform Act (roll No. 153), "Aye" on the Moffett amendment to delete the salary increase for the president of Amtrak (roll No. 155), and "Yea" on final passage of the Amtrak Improvement Act (roll No. 156).

#### TRUTH IN ARITHMETIC

(Mr. GOLDWATER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GOLDWATER. Mr. Speaker, there is not one Member of this House who does not know that congressionally induced, Federal deficit spending is the primary cause of the economic disaster currently plaguing the United States. That it can be said of all recent Congresses that as alcohol is to the alcoholic, mindless deficit spending is to the Congress. Just as the alcoholic believes—he can drink his way to a better condition unfortunately so many Members of Congress insist on believing that the way to get out of our current economic mess is to spend more and ignore the deficit hangover. Such an attitude and practice are sheer folly.

Beginning on Wednesday of this week, the Congress will take up what has been promised to be the first of several budget resolutions. This concurrent resolution has no binding authority. It relies on verbal declarations of intent and uses such forceful wording as "recommended" and "appropriate." It says that a \$73.2 billion spending deficit for fiscal year 1976 is appropriate. Well, my fellow colleagues, that strikes me as about as sensible as telling a gutter stumbling drunk to break open another case of booze and see if that will not help him recover.

If this concurrent resolution is any indication of what we can expect, what this Nation needs is a little "truth in arithmetic" legislation—legislation that means something, that is binding, and that permanently stops Federal deficits and forces this Congress to tell the truth about our fiscal policies and positions.

#### CONGRESS MUST AUTHORIZE PRODUCTION FROM ELK HILLS

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

Mr. BELL. Mr. Speaker, tomorrow the House will consider H.R. 49—a bill which will allow for long overdue production from the petroleum reserve at Elk Hills in California to help ease this Nation's dangerous energy situation.

We can no longer afford the luxury, Mr. Speaker, of allowing such a critical

resource as Elk Hills—or Pet 4 in Alaska—to sit there undeveloped and in such an inadequate state of readiness.

In the national interest, the Congress must authorize production from Elk Hills as envisioned in H.R. 49.

I urge the support of my colleagues for this legislation tomorrow.

A "Dear Colleague" scurrilous letter has been circulated by some Members inferring that we may have another Teapot Dome scandal.

Let us get the facts out. Names. Names.

#### COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES WITH REGARD TO FOREIGN ASSISTANCE ACT OF 1961 (H. DOC. NO. 94-116)

The SPEAKER laid before the House the following communication from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on International Relations and ordered to be printed:

THE WHITE HOUSE,

Washington, D.C., April 25, 1975.

Hon. CARL ALBERT,  
Speaker of the House of Representatives,  
Washington, D.C. 20515

DEAR MR. SPEAKER: In accordance with the notification requirement set forth in Section 652 of the Foreign Assistance Act of 1961, as amended, (hereinafter, the "Act"), please be advised that I intend to exercise my authority under Section 614(a) of the Act to authorize the use of Indochina Postwar Reconstruction funds for the purpose of financing the evacuation from South Vietnam of certain South Vietnamese nationals and nationals of other foreign countries without regard to the requirements of the Act, the Foreign Assistance Act of 1974, including Section 38, and Section 113 of the Act Making Appropriations for Foreign Assistance and Related Programs for the Fiscal Year Ending June 30, 1975, and for Other Purposes. Justification for this action is contained in the enclosed memorandum.

I have determined that such authorization is important to the security of the United States and will be forwarding my formal determination to you within the next few days.

Sincerely,

GERALD R. FORD.

Enclosure.

JUSTIFICATION FOR PRESIDENTIAL DETERMINATION TO AUTHORIZE THE USE OF INDOCHINA POSTWAR RECONSTRUCTION FUNDS TO FINANCE THE EVACUATION FROM SOUTH VIETNAM, AND RELATED COSTS, OF CERTAIN SOUTH VIETNAMESE NATIONALS AND THE NATIONALS OF OTHER COUNTRIES

Although Section 38(a)(1)(A) of the Foreign Assistance Act of 1974 authorizes the use of funds made available under that act for relief of refugees, the \$70 million authorized for that purpose may not be sufficient to cover this evacuation and related costs when this amount is determined and added to other refugee relief programs already funded. Section 38(b) limits the amount that may be transferred out of the other major categories of assistance authorized under

section 38(a) into the humanitarian category to not more than 20 percent of the amount authorized under each of the other major categories.

Section 113 of the Foreign Assistance Appropriations Act of 1975 requires congressional notification of the use of funds for new Indochina postwar reconstruction activities at least 15 days in advance of the obligation of such funds. An evacuation project was not presented to the Congress for Foreign Assistance Act financing at the time of the fiscal 1975 congressional presentation. Funds for such a project have been included in the legislation now before the Congress, but no funds have been appropriated as yet nor can they be in the time available. Insufficient funds are available under the Migration and Refugee Assistance Act of 1962, as amended, and there is no time to pursue appropriations thereunder for this immediate need. Accordingly, this urgent requirement, if it is to be met at all in the time available, must be met with Foreign Assistance Act funds. Of course, the use of Indochina postwar reconstruction funds will serve only as a stopgap measure pending passage of the legislation presently being considered by the Congress. Ordinarily we would notify Congress of this new activity under section 113, but to do so now, and wait 15 days, will prevent the successful evacuation of these people.

Without such a determination under section 614(a) of the act, it may not be possible to finance the evacuation from South Vietnam, and related costs, of nationals of that country and of other foreign countries. The failure to evacuate these people from South Vietnam would leave them in danger of harm, perhaps even death, in the face of Communist aggression, and would raise serious questions in the eyes of other nations regarding the U.S. Government's humanitarian concerns toward those with whom it has been closely associated and allied for many years. I therefore believe it to be important to the security of the United States to undertake such an evacuation and to finance this undertaking with Indochina postwar reconstruction funds.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,  
April 25, 1975.

HON. CARL ALBERT,  
The Speaker,  
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:05 p.m. on Friday, April 25, 1975, and said to contain a message from the President wherein he transmits the annual report of the National Credit Union Administration.

With kind regards, I am,  
Sincerely,

W. PAT JENNINGS,  
Clerk, U. S. House of Representatives.  
By W. RAYMOND COLLEY,

#### ANNUAL REPORT OF THE NATIONAL CREDIT UNION ADMINISTRATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking, Currency and Housing:

To the Congress of the United States:

Pursuant to the provisions of Title I, section 102, of the Federal Credit Union Act, as amended (12 U.S.C. 1752a(e)), enclosed is the Annual Report of the Administrator, National Credit Union Administration, for the calendar year 1974.

GERALD R. FORD.

THE WHITE HOUSE, April 25, 1975.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C., April 25, 1975.

HON. CARL ALBERT,  
The Speaker,  
U. S. House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:05 p.m. on Friday, April 25, 1975, and said to contain a message from the President wherein he transmits the annual report of the Alaska Railroad Act.

With kind regards, I am,  
Sincerely,

W. PAT JENNINGS,  
Clerk, U. S. House of Representatives.  
By W. RAYMOND COLLEY.

#### ANNUAL REPORT BY SECRETARY OF TRANSPORTATION ON THE ALASKA RAILROAD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I transmit herewith the annual report by the Secretary of Transportation on the operations and activities of the Alaska Railroad Act of March 12, 1914.

GERALD R. FORD.

THE WHITE HOUSE, April 25, 1975.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,  
April 25, 1975.

HON. CARL ALBERT,  
The Speaker,  
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from

the White House, received in the Clerk's Office at 12:05 p.m. on Friday, April 25, 1975, and said to contain a message from the President regarding Revenue Sharing and a draft bill.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,  
Clerk, U. S. House of Representatives.  
By W. RAYMOND COLLEY,

#### PROPOSED LEGISLATION TO EXTEND AND REVISE THE STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-117)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I am today transmitting to the Congress proposed legislation to extend and revise the State and Local Fiscal Assistance Act of 1972. The act, and the General Revenue Sharing program which it authorizes, expires on December 31, 1976. I strongly recommend that the Congress act to continue this highly successful and important new element of American Federalism well in advance of the expiration date, in order that State and local governments can make sound fiscal plans.

#### THE VALUE OF FEDERALISM

The genius of American government is the Federal system of shared sovereignty. This system permits and promotes creativity and freedom of action simultaneously at three levels of government. Federalism enables our people to approach their problems through the governments closest to them, rather than looking to an all-powerful central bureaucracy for every answer.

With the Federal Government heavily committed to international affairs, the Nation's defense, the state of the economy and the energy problem, we need strong, effective State and local governments to meet the everyday needs of our people—for good police and fire protection, education, transportation, sanitation, and the basic services of a well-governed society.

In 1972, when General Revenue Sharing was passed, the Federal partnership was in trouble. The Federal Government, with its highly efficient taxing system, then collected some two-thirds of the Nation's total tax revenues. Federal revenues, particularly because of the income tax, grew with the economy. However, State and local revenues are more dependent on real property taxes and sales taxes. These governments had to meet rising demands for services and costs through endless rounds of tax increases. Simply stated, revenues had grown fastest at the Federal level, while needs were growing fastest at the State and local levels.

The Federal Government, then as now,



sought to help States and communities meet their needs through Federal aid. For the most part, this aid is in the form of categorical grants—that is, narrowly defined, closely controlled grants for specific purposes. Today, over one thousand of these categorical grants are available for almost every imaginable objective.

However, the necessity to go to Washington for the solution to many local problems has had a stifling effect on the creativity and accountability of State and local governments. Along with Federal aid comes Federal restrictions which limit local initiative and flexibility.

Furthermore, until the concept of block grants was developed, States and localities were limited to categorical grants which were designed to lead State and local governments in new directions. Consequently, the recipients, all too often, headed in the direction where the grant moneys were available, rather than where their genuine needs existed.

Finally, much of the aid the Federal Government makes available has to be matched by State and local funds. The impact of this requirement is often to aggravate rather than to alleviate a State or local government's financial plight.

This was the situation the executive branch and the Congress faced in 1972—a Federal system endangered by the growing impoverishment of two out of the system's three partners. This is the situation that the Federal Government wisely met, by the passage of General Revenue Sharing.

This program has been a resounding success. Since its enactment, General Revenue Sharing has provided nearly \$19 billion to 50 States and some 39,000 local governments—money which these governments could use as they saw fit to meet their priority needs.

These Federal revenue sharing dollars have meant new crime fighting equipment and more police on the street, help for essential mass transportation, a better environment, improved fire protection and many other useful public activities. If some communities have not used their revenue sharing funds wisely, they are a minuscule fraction of governments which have used this money well.

The current revenue sharing act has also enabled individuals and citizen groups to play their part in determining the use of these Federal funds in their communities by placing the decision on the use of these funds at the local rather than the Federal level. This citizen participation strengthens our democracy in the best possible way. It is my intention to strengthen our efforts to encourage the widest possible citizen participation.

#### THE NEED GOES ON

General Revenue Sharing has also been the keystone of additional efforts to reform Federal aid. The new block grant programs, more decentralized grant management, joint funding projects and grant integration, improved program information and executive reorganization have all been included in a large-scale effort to make better sense of and to get greater results from the billions granted to State and local governments.

The General Revenue Sharing program enacted in 1972 turned a corner. It caught a serious problem in time and helped us get back on the road to a sounder Federalism, of shared rights and responsibilities.

Many State and local governments are facing deficits with the prospect of having to raise additional taxes or cut services. Our States and localities are facing these adverse developments at a time when their fiscal responsibilities have mounted due to the impact of inflation on their expenditures and the tax burdens placed on citizens. Further, the present high unemployment is taking its toll in terms of lower tax receipts and higher costs on States and communities. This combination of financial pressures is likely to continue to bear down on these governments for the foreseeable future.

Many units of governments, particularly in distressed urban areas, count on these funds for their budget planning. If the flow of shared revenues were to be turned off or scaled down, the results would be immediate and painful. Our efforts to revive the economy would suffer a serious blow. States, cities, counties and small communities would have to either cut back essential services causing increased public and related private unemployment or tax more or borrow more—thus defeating the objectives of our national efforts to reduce the total tax load and revive the economy.

Enactment of Federal revenue sharing was a wise decision in 1972. Its continuation is imperative now. Before deciding to recommend extension of this program, I directed that an exhaustive study be made of the present program to identify its strengths and weaknesses. This assessment has been carried out and has taken into account the views of the Congress, State and local government officials, interested citizen bodies and private study groups analyzing governmental policy. I will also consider any significant findings which may yet emerge from studies presently underway.

Based on our review of this work, I am now proposing to the Congress legislation which will maintain the basic features of the existing revenue sharing program while offering several improvements.

The principal elements of the renewal legislation I am proposing are:

- The basic revenue sharing formula is retained. Experience to date suggests the essential fairness of the present formula and I recommend its retention.
- Funds will be authorized for five and three-quarters years. The effect of this provision is to conform the time period to the new Federal fiscal year.
- The current method of funding with annual increases of \$150 million will be retained to compensate, in part, for the impact of inflation. Over the five and three-quarters years, this level will produce a total distribution of Federal revenues of \$39.85 billion. By the final year, the revenues shared will have increased by \$937 million over the current level of payments.
- Recognizing the need to raise the

existing per capita constraint on the basic formula, my proposal would permit those hard-pressed jurisdictions now constrained by the per capita limitation to receive more money. The impact of this change on other communities would be minimized by phasing the change in five steps and by the increase of \$150 million annually.

- To strengthen the civil rights provisions of the existing statute the proposed legislation would authorize the Secretary of the Treasury to invoke several remedies to enforce the nondiscrimination provisions of the act. This would be accomplished by stating explicitly that the Secretary has authority to withhold all or a portion of entitlement funds due a State or unit of local government, to terminate one or more payments of entitlement funds, and to require repayment of entitlement funds previously expended in a program or activity found to have been discriminatory. This change will further enhance the Secretary's ability to insure that none of our citizens is denied on grounds of race, color, sex or national origin the benefits of any program funded in whole or in part through revenue sharing.
- To strengthen public participation in determining the use of shared revenues, the proposed legislation requires that recipient governments must provide a procedure for citizen participation in the allocation of revenue sharing monies.
- The Administration proposal would also make reporting requirements more flexible to meet varying needs from community to community. The legislation would grant the Secretary of the Treasury greater latitude in determining the form of reports and the kind of information required of recipients. Similarly, he would have more flexibility to determine the method by which recipient governments must publicize their use of funds.
- Finally, the proposal requires a reconsideration of the program 2 years before its expiration.

#### EARLY RENEWAL IS IMPORTANT

I urge the Congress at its earliest convenience to begin deliberations on the renewal of the State and Local Fiscal Assistance Act of 1972. Effective planning at the State capitals, city halls, and county courthouses will require action in this first session of the 94th Congress. In fact, in the fall of 1975 many of our States and local governments will be preparing their fiscal year 1977 budgets. It will be essential for them to know at that time whether General Revenue Sharing funds will be available to them after December, 1976.

The expiration of the present General Revenue Sharing Law is coincident with the year in which the Nation celebrates its bicentennial. There could be no more practical reaffirmation of the Federal compact which launched this Country than to renew the program which has done so much to preserve and strengthen

that compact—General Revenue Sharing.

GERALD R. FORD.

THE WHITE HOUSE, April 25, 1975.

### CALL OF THE HOUSE

Mr. DEVINE. 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. 157]

Andrews, N.C.	Harkin	Rhodes
Badillo	Harsha	Ruppe
Biaggi	Hébert	Russo
Boggs	Hefner	Satterfield
Bolling	Howard	Scheuer
Brademas	Hughes	Shipley
Breckinridge	Ichord	Shriver
Broomfield	Jarman	Shuster
Brown, Mich.	Kastenmeyer	Staggers
Chappell	Kemp	Steiger, Ariz.
Cochran	Krueger	Sullivan
Conyers	Litt	Symington
Crane	McKinney	Taylor, N.C.
Dellums	Matsunaga	Teague
Dent	Meeds	Traxler
Diggs	Milford	Udall
Flood	Mills	Ullman
Flynt	Mollohan	Vanik
Ford, Tenn.	Peyser	Wilson,
Ginn	Poage	Charles, Tex.
Gonzalez	Pritchard	Young, Fla.
Gradison	Rallsback	Young, Ga.
Hanley	Rangel	Zablocki
Hansen		

The SPEAKER. On this rollcall 362 Members have recorded their presence by electronic device, a quorum.

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

### ELECTION CAMPAIGN ACT OF 1974

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

Mr. FRENZEL. Mr. Speaker, in today's New York Times Mr. William Safire, in an "essay" speculated about a feature in the 1974 Election Campaign Act which relates to the Democrat national chairman, Mr. Straus. Mr. Safire and I discussed this matter on the telephone, and reference to our conversation was made in the "essay." None of the Safire speculation is attributed to me, but for those who have not read the article closely, I want to make the record clear that I have indulged in none.

The statute of limitations features in the law precludes investigation of Mr. Straus' part in receiving a corporate campaign contribution. It may protect him, but it also precludes a finding that he, like others who accepted similar contributions, thought they were personal contributions.

I did not like the statute of limitations when we were marking up the bill and said so, but it seemed then to be a minor issue, and it still seems to me to be a minor issue.

The Election Campaign Act of 1974 is a good law—flawed in many ways as are all complicated laws—and it reflects bipartisan credit on the 93d Congress. I believe that speculation about various features of the law is a legitimate editorial exercise, but I hope that such speculation does not cause a reduction in either the people's or the Congress' confidence in that law.

I find it likewise not fruitful to indulge in speculation as to the motivation of the people who worked on the law. Each of us who did so worked hard in an effort to present the best package that Congress could accept and the President would sign. I was unstinting in my praise of those who contributed to the passage of the bill last year, and I have no reason to suspect their motivations now nor to diminish the value of their contributions.

### THE NATIONAL SCHOOL LUNCH ACT AND CHILD NUTRITION ACT OF 1966 AMENDMENTS OF 1975

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4222) to amend the National School Lunch and Child Nutrition Acts in order to extend and revise the special food service program for children and the school breakfast program, and for other purposes related to strengthening the school lunch and child nutrition programs.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky (Mr. PERKINS).

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 4222, with Mr. EVANS of Colorado in the chair. The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Tuesday, March 25, 1975, there was pending an amendment in the nature of a substitute offered by the gentleman from Michigan (Mr. O'HARA) for the committee amendment in the nature of a substitute.

Are there further amendments to the amendment in the nature of a substitute?

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

Mr. Chairman, I take this time to review for the Members the action taken thus far on the important school lunch bill and to indicate what further amendments we anticipate.

Let me begin by reviewing very briefly the provisions of the original committee bill—H.R. 4222 as reported by the committee can only be described as a balanced piece of legislation which addressed all of the component parts of the School Lunch and Child Nutrition Acts.

The major provisions of H.R. 4222 as reported—

Make permanent the authorizations of the school breakfast program;

Make children of unemployed parents automatically eligible for free meals;

Expand eligibility for reduced price lunches to an additional 5 to 7 million students;

Extend and expand the participation of children in child care institutions and preschool programs;

And extend the authorization for the supplemental feeding program for women, infants, and children—known as WIC—for 3 years at \$250,000,000 per year.

Many of these provisions in the committee-reported bill reflect the Committee on Education and Labor's continuing concern for and commitment to providing nutritious meals for those in financial need. The bill is further evidence of the committee determination that these programs be effective and adequate in meeting the needs of children from financially needy families.

But in the Committee on Education and Labor we have a concern also for the children from families whose incomes exceed these eligibility guidelines. We have a concern that all children have an opportunity for at least one nutritious meal per day—and when we examined the evidence it was clear that the legislation also had to provide some additional subsidy for the regular school lunch program.

Our solution was to place a ceiling of 25 cents that could be charged any paying student. During general debate on the committee measure, it was clear that there was deep concern among the membership over the costs of this proposal and we agreed when we went into the 5-minute rule to offer a substitute for the committee bill—a substitute which retained the major provisions of the committee bill I have mentioned, but which placed the cap at 35 cents rather than 25 cents.

But even this effort—the 35 cents cap—by the committee to help working families was not acceptable to the House. We therefore have pending before us the O'Hara substitute which originally—and as it has been amended—greatly strengthened feeding programs for the needy. In fact, we were pleased to accept an amendment to the substitute to mandate the offering of reduced price lunches. That in combination with an original committee provision raising the eligibility guideline for a reduced price lunch to 100 percent of the poverty guideline, will have a significant beneficial impact.

There is no question that the bill as it now stands represents a significant effort on behalf of low-income families. But it does nothing for many of the working people of this country. If we allow the bill to remain as it is, it will be those children in families with incomes of \$14,000, \$15,000, and \$16,000 who will be unable to pay what will be even higher school lunch prices next year.

Over the last 2 years, costs of producing a lunch have increased by 28 percent, and under existing law, virtually all of those increased costs must be passed on to students. For that reason, Mr. Chairman, I will offer an amendment to



provide a 5-cent payment on every lunch served to a paying student next year.

This is quite a concession from our original committee position, and from the modified position we took in the O'Hara substitute. A step backward which I deeply regret. We will not have a standard price for paying students. We may not reduce the price of lunches for students as we had intended—but at least this amendment will help to keep prices where they are presently. It is a 1-year holding action and a necessary action.

It is my understanding, Mr. Chairman, that the State Superintendent of Education in Florida has advised that there has been a decline of 9 percent in paying students in Florida within the last year due to increased prices in the school lunch program.

Mr. Chairman, this approach will respond to the concerns that were voiced about the other proposals. Both the 25-cent and 35-cent caps would have resulted in different payments being made throughout the country. In some States, 10 cents per lunch would have been paid, while in others it might have been as high as 30 cents. Under this proposal, 5 cents will be paid on every lunch.

Under the original proposal, there was deep concern about the estimated costs—which ranged from \$400,000,000 to over a billion dollars. We are here talking about a 1-year program at a cost of \$125,000,000.

Mr. Chairman, during the previous debate, many Members who objected to the 25-cent and 35-cent cap said that it was unreasonable—that they would support a reasonable subsidy for the paying students. This proposal is so reasonable it not even covers the increase in the cost of producing a lunch with the 5-cent payment. I believe that all Members of the House will be able to support this measure.

Mr. QUIE. Mr. Chairmain, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairmain, the gentleman has stated again, as he did the other time that the numbers in the regular program have been reduced, but the total number of children participating in the school lunch program has increased.

Mr. PERKINS. Yes, and the gentleman knows why that is so. We increased free lunch eligibility to 125 percent of the poverty level so students could get free lunches, and we increased the price level figure up to more children to participate, but the gentleman well knows on the other hand that during the same period we have lost approximately 3 million children from the regular program.

The people that we are talking about here are not rich people. They are the people in the \$11,000, \$12,000, \$13,000, \$14,000 and \$15,000 brackets. If we offer all the children from families up to the \$15,000 bracket in a reduced price lunch, we would cover 62.5 percent of the children in this country.

So this is not a wealthy man's pro-

gram by any means. It is the \$10,000-\$15,000 middle-income parents that we want to try to hold in the school lunch program, so that the children will not be priced out of the school lunch room. That is exactly what has happened.

As I stated, we are only subsidizing the regular school lunch program at 21¼ cents, and we are only asking now that we subsidize it for one additional nickel, which I feel is reasonable, and for 1 additional year.

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

Mr. PERKINS. Yes. I yield to the distinguished gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I say to the gentleman, no matter how much we talk, we have to face facts and if we increase the eligibility for free and reduced cost lunches, more students who are paying for their lunches qualify for a free or reduced cost lunch. If that is a consideration, how can we have anything but the free and reduced cost lunches being increased and thus making the number making the regular payment decrease.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

(By unanimous consent Mr. PERKINS was allowed to proceed for 1 additional minute.)

Mr. PERKINS. Mr. Chairman, I am saying to the membership of the committee that if we fail to do something for the regular school lunch program for the masses of the taxpayers in the \$11,000, \$12,000, and \$13,000 bracket, we are not going to have any program in a few years.

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

Mr. Chairman, when we make a decision on the amendments, I would say let us do it on the facts and the facts that each year the total number who participate in the school lunch program has increased. The table that appears on page 10 of the committee report shows 24.6 million participants in 1973, 24.7 million participants in 1974, 25.2 million participants in 1975.

Every time we increase the eligibility for free and reduced cost lunches; individuals who were paying the full amount for their lunch are then qualified to take part in the free or reduced cost. There is no way they would continue the paying for their lunches if they did not have to. We are going to increase the eligibility again for reduced cost lunches, making it 200 percent of the low-income factor. That means additional individuals who are paying for their lunches now will be able to secure lunches for 20 cents. That is what I think we intend to do. We say in the bill already that anybody from a family of four with \$10,020 or less can get a lunch for 20 cents.

Why do we have to subsidize beyond the 21¼ cents the present subsidy, and the increase that is going to come in July with the automatic escalator, and the other increase that is going to come in January? That present 21¼ cents subsidy in July will go to 23¼ cents, and in January it is expected to go to 24¼ cents. That is the escalator which is already in the act so that inflation would

not harm those who pay for their own lunches and have the financial capability of doing it.

In the meantime, with increased unemployment, we make it automatic that for a person who becomes unemployed, his children can come under the free lunch program. So that everybody who was paying for their lunches, whose parents become unemployed will automatically receive free lunches. Therefore, there will be that reduction in the number of paying lunches. There is no other way for the committee to do it.

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

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, let me say to my distinguished friend that it is true we have increased the level at which reduced price lunches are available up to \$9,020 for a family of four, this year, and up to approximately \$10,000 beginning July 1.

Mr. QUIE. Ten thousand dollars.

Mr. PERKINS. They cannot be charged more than 20 cents, but that does not take care of the family of four with an income of \$11,000, an income of \$12,000, an income of \$13,000.

I want to refer to the chart, if the gentleman will permit, which he referred to on page 8. If the gentleman will notice, right under the chart in the first paragraph, this chart shows that there has been a decline of approximately 192,000 paying students in the school lunch program in New York State from 1972 to the present. Only 56,000 of these students shifted to the free and reduced price program. The remaining 136,000 students simply dropped out of the program.

Mr. QUIE. Mr. Chairman, I refuse to yield any further.

Mr. PERKINS. I want to try to clarify a point.

Mr. QUIE. Mr. Chairman, the chairman would like to use up all my time and I will never have a chance to answer that.

Mr. Chairman, the story is, as I have been explaining to the gentleman, that any time we move children from paid lunch to free or reduced-cost lunch, naturally the number of paid lunches will go down. In fact, if we would give a free lunch to everybody, there would be nobody in this country who was counted in the paid lunch column. How do we find enough people to make the program work then?

Mr. PERKINS. Mr. Chairman, will the gentleman yield further?

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. Presently we do not have a million children in America receiving reduced price lunch, but we have made them eligible. We have a million children who could receive a reduced price lunch. I just want to point that out so the committee will understand that the gentleman's statement is not logical because in the regular program we have lost over three million. We did have 18 million in the regular school lunch program, which covers about 60 percent of

total participation. We have dropped down to 15.3 million.

Mr. QUIE. Mr. Chairman, I decline to yield any further.

The reason for that is that we have increased substantially the free or reduced cost lunch eligibility, and if we continue to increase it—and I supported the increase of eligibility—that is going to draw some into that and take it away from the paid lunches.

AMENDMENT OFFERED BY MR. PERKINS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. O'HARA

Mr. PERKINS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. PERKINS to the amendment in the nature of a substitute offered by Mr. O'HARA: Page 25 of the amendment offered by Mr. O'HARA, after line 25, inserting the following:

ADDITIONAL PAYMENTS FOR FULL-PRICE LUNCHES DURING FISCAL YEAR 1976

SEC. 18. (a) Section 4 of the National School Lunch Act is amended by inserting "(a)" immediately before the first sentence and by adding at the end thereof the following new subsection:

"(b) (1) In the fiscal year which begins on July 1, 1975, in addition to food assistance payments under subsection (a) for that fiscal year, the Secretary shall make additional payments to each State educational agency in a total amount equal to the result obtained by multiplying (A) the number of lunches other than free lunches and reduced-price lunches (consisting of a combination of foods which meet the minimum nutritional requirements prescribed by the Secretary under section 9(a)) served during that fiscal year to children in schools in the State which participate in the school lunch program under this Act under agreements with that State educational agency, by (B) 5 cents. Additional payments under this paragraph shall not be subject to the matching requirements contained in the third sentence of section 7. From the payments received under this paragraph, each State educational agency shall disburse—

"(A) to each local educational agency in the State with schools which participate in the school lunch program under this Act under agreements with that State educational agency, an amount equal to the result obtained by multiplying (i) the number of lunches described in clause (A) of the first sentence of this paragraph served in the schools of that local educational agency which participate in such program by (ii) 5 cents, and

"(B) to each school in the State which is not a school of a local educational agency in the State but which participates in the school lunch program under this Act under an agreement with that State educational agency, an amount equal to the result obtained by multiplying (i) the number of lunches described in clause (A) of the first sentence of this paragraph served in that school by (ii) 5 cents.

"(2) In the fiscal year which begins on July 1, 1975, in addition to food assistance payments under subsection (a) for that year, the Secretary shall make additional payments to each school to which the Secretary makes direct disbursements under section 10 in a total amount equal to the result obtained by multiplying (A) the number of lunches described in clause (A) of the first sentence of paragraph (1) served during that fiscal year to children in that school by (B) 5 cents. Additional payments under this paragraph shall not be subject to the matching requirements contained in section 10."

Mr. PERKINS. Mr. Chairman, my amendment provides a 5-cent supplemental payment for each lunch served to a paying student during fiscal year 1976. The payment, which will be authorized for 1 year only, is designed to assist the school districts in maintaining the 1975 school lunch price, in order to prevent further erosion of participation by paying children.

On Friday, I furnished to all Members of the House background information on this disturbing downturn. The number of paying children in the school lunch program has declined from 18 million in 1970 to 15.3 million in 1975. This loss of 2.7 million children seriously undermines the goal of providing a nutritious meal for all children.

We have made every endeavor to reach children whose families cannot afford the rising cost of a school meal by providing Federal support which has now reached 84.25 cents per free meal. With this support the schools of the Nation feed 10 million children free, and that number will continue to rise as additional schools come into the program.

Under this amendment adopted by this House on March 25, we are now going to be able to reach additional millions of children whose parents earn up to \$10,000, by means of the mandated reduced-price lunch in all schools which are participating in the national school lunch program.

While we have made these great strides in bringing a well-balanced, nutritious meal to so many millions of children, we are alarmed at the sharp decline in the participation of children who do pay for their lunch. At the present time, that group constitutes 60 percent of all participants. I feel it is time for the Federal Government to take action to reverse the downward trend by supplying an additional supportive payment of 5 cents for each lunch served to a paying child. The cost of this amendment would be \$125 million, based upon the service yearly of 2.5 billion lunches. This is a very simple amendment, and it is an equitable amendment, but I feel it will be a very effective amendment in preventing further erosion.

I hope that the schools will make every possible effort to keep their lunch prices at present levels for the next school year in view of the added 5 cents that they will receive from the Federal Government. I know they are aware that if their participation increases their unit cost will be reduced, and the best way to insure maximum participation is to keep the price at a level where most children can afford to buy the school lunch.

Mr. Chairman, I wish to take this opportunity also to advise the Members of a correction in the "Dear Colleague" letter which we circulated last Friday. Because of a typographical error, the letter indicated that the increase in the cost of producing a lunch is estimated at 12 cents. Mr. Chairman, the letter should have stated that the increase in the cost of producing a lunch has risen by 12 percent, and not 12 cents. We sincerely regret the error.

I urge my colleagues to vote in favor of this amendment, whose cost will be minimal in view of the universal benefit we can anticipate.

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

Mr. Chairman, one might feel that this amendment is better than some of the other ones that we talked of in previous days because it is \$125 million rather than \$1 billion or \$870 million, as it once was, or \$520 million, as it once was. However, the principle is wrong.

We are going to increase the eligibility for reduced-cost lunches. At the present time a family of four with a \$7,087 income or less is eligible for reduced-cost lunches, and they all do not receive it. Under the bill a family of four with a \$10,020 income or less will be able to receive a reduced-cost lunch, and it will be made mandatory on the school district to provide it for them. The result of that is going to be substantially increasing the number of children who avail themselves of reduced-cost lunches, and also, the result will be that there will be a reduction in the number of children who pay for their own lunches. It just has to be. That is where they come from.

The escalator, as the chairman indicated, is going to go into effect in a 21¾-cent subsidy that is available for those who can afford to pay for the lunches of their children. In July of this year it will go up to 23¾ cents, and as expected, in January will go to 24¾ cents. If we add the 5 cents to that, then there will be a 35-percent increase by next year in the amount that the Federal Treasury will be paying for the middle- and upper-income students.

If we do that it will put the subsidy for the lunches of children of parents who can afford to pay for their lunches at a higher subsidy than the average that is available today in the food stamp program for households.

That is how generous this amendment is proposing to be.

It is also interesting to note that in the wealthier communities as well as the greatest amount of subsidy will go. The county of Montgomery, Md., with the highest median family income in America, will receive a greater Federal subsidy from this proposal than will the whole city of Chicago.

The question is: Will the students who had been paying for their lunches last year no longer be in the paid lunch program? And the answer will be: Many of them will not be in the paid lunch program because any of the children whose parents become unemployed will be able to get free lunches, and so we have that factor, plus the increased eligibility for reduced cost lunches that will increase the number who go into those two categories.

Let us look at the cost of the program. The administration has recommended \$1.7 billion for the school lunch program. We have turned it down. I have turned it down. My colleagues on my side of the aisle on the committee have turned it down, and the people on the Democratic side of the aisle have turned it down.

The program now costs \$2 billion a year, or slightly over. If we did nothing except extend the present act it would cost \$2.4 billion next year.

However, the bill that we have before



us without that 5-cent amendment on it will be a little over \$3 billion.

I think we can sell that increase in cost of the school lunch program to the people of this country, and I hope also to the administration as well. Because its purpose is to help the poor and the lower middle-income families of the Nation. But when we provide a subsidy for the upper and the middle-income families of the Nation I think then we will not be able to sell it to the people of this country or to the administration. And I do not think we should be able to do that.

To me, the subsidy that we have provided for those who can afford to pay for their own lunches is high enough. We have an escalator which increases this subsidy as the meals served away from home costs increase so it therefore will be able to keep pace with the economy even though they are in the upper and middle incomes.

Mr. LEHMAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Kentucky (Mr. PERKINS).

Mr. Chairman, I would like to read a telegram our office received today from Ralph D. Turlington, commissioner of education of the State of Florida:

School lunch dropout rate for Florida this year was nine percent, we believe entirely due to the increased cost. The school nutrition program is a top need. I ask you to support the school lunch program even to the exclusion of some other educational support if necessary. I urge you to support Congressman Perkins' amendment.

Signed, "Ralph D. Turlington, Commissioner of Education."

In addition, Mr. Chairman, I talked last week to the superintendent of the Dade County School System, Dr. Edward Whigham. He says that at the present time that Dade's school food service is \$600,000 in debt and have been forced to raise the price another 5 cents.

This is a basically built in self-destructive program in regard to those systems still trying to maintain a school lunch program for middle income children who are still trying to pay their own way. I do not want to see this 5 cents go in any way as a windfall or extra funds to the school food service programs. This 5 cents provides a means by which we can possibly keep the middle-income young people in the school food system so that it will not continue to become, as I say, a self-destructive program, where a continued deficit means continued increases in the costs and further dropouts in the school food service paying children.

I strongly urge my colleagues to support this amendment so that we can maintain one of the most important programs in our whole school operation, that is, a reasonable and sufficient and healthful diet for our schoolchildren.

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

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

Mr. RONCALIO. I thank the gentleman for yielding.

I am impressed with the fact that the gentleman supports this amendment and this legislation, and I will be glad to give my support to it. I have profound respect

for the gentleman in the well and what he did for education before coming to the Congress.

Mr. LEHMAN. I thank the gentleman from Wyoming.

Mr. Chairman, I yield back the remainder of my time.

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

Mr. Chairman, I am sure all members of the committee are very capable in the area of arithmetic, and I am sure that all members of the committee realize that we have had a 2.7 million increase in school lunch participation in the last 5 years. They are not figures that I dreamed up; they are figures found on page 10 of the committee's report—an increase of 2.7 million people participating in the school lunch program. Simple arithmetic has to tell us that if we have had a decrease in school population during the same time of 1.5 million and we have had an increase in participation of 2.7 million, it is very, very, very plain that we do not have a problem of people falling out of the lunch program; it is just that we have made it so much easier for them to participate in a free- and reduced-price program—which is good. Therefore, we have 5.4 million at the present time participating in those free and reduced priced programs. That is the increase in that 5-year period.

So, no matter how we add, subtract, divide, or multiply, we have to come up with the fact that there are more people participating. We have an escalator clause built into this program to take care of these people who are on a pay-as-you-go program. This escalator clause is based on the increased cost of food away from home.

Let me refer to an article that was in the Washington Post today. Let me just read a small portion of it. This is an editorial from the Washington Post. I am only going to read a section. It is very complimentary about the bill up to a point. Then it says:

The bill recognizes the critical importance of feeding hungry children, and it has sought to fashion a program that is fiscally reasonable in every respect but one,—

I repeat, "but one"—

and that concerns the federal subsidy for the school lunch program. The House is scheduled to debate today a provision supported by 23 members of the committee that would permit a subsidy of five cents more per lunch for the sole purpose of keeping middle class children whose families earn above \$10,000 in the program. Several committee members are concerned by a drop last year of about a million children from the lunch program, which now serves 15 million children. Because many of those who dropped out were middle class, the prevailing notion among the committee members has been that an additional subsidy will bring them back or keep in the program other middle class children who might drop out.

The cost of this subsidy to middle class families is estimated at \$120 million. We should say that it is a modest figure; an earlier version of the same subsidy would have reached nearly \$1 billion a year within five years. This scaled down subsidy has been tacked on to the school lunch program—

and I want to emphasize this—for only a year.

This is what the Washington Post editorial says:

How it will be rooted out if it got in, nobody really says.

Then there comes another paragraph:

This is almost certainly a case where the committee has wearied of well-doing. Every other provision of the bill deserves support, but it is impossible to justify this additional expense on the grounds that it will keep middle class children in the school lunch program.

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

Mr. GOODLING. I yield to the chairman, the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I thank the gentleman for yielding.

But the escalator the gentleman refers to for the school lunch program, where the price of food has gone up 28 percent in the last 2 years, that escalator under section 4 has increased only one and three-quarters percent. We also have escalators for the free and reduced price lunches which amount to 8 cents a year and I do not think we should confuse the House.

So far as that editorial is concerned I do not take issue with the people who wrote it but we would never have had a regular school lunch program in the first place if we had followed the line of thinking of that editorial. We never would have had a regular lunch program in the first place.

Mr. GOODLING. Mr. Chairman, it was mentioned we should not confuse anyone. I want to make one more statement that has been made over and over again so we do not confuse people.

There has been an increase in participation in the school lunch program. There has been an increase in the last 5 years of 5.4 million people participating in free and reduced price lunches. If that is true, and it is reported in our report, then there has to be a decrease in those who pay. There is just no other way we can mathematically work it out.

I think in keeping the RECORD straight we should make sure we do not confuse people with the facts as they are listed on page 10 of this report.

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

Mr. GOODLING. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, the gentleman from Kentucky mentioned a 1.4-percent increase in the price. I think he meant 1.4 cents increase in the price due to the escalator, which is of course a much substantially higher percentage of the price.

Mr. GOODLING. That is right.

One additional statement. The school lunch program in the 23 years I participated in it went from 25 cents to 50 cents for lunch over a 23-year period. Show me any other thing in this country that has had such a minor increase as that.

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

Mr. Chairman, I rise in objection to the amendment offered by Mr. PERKINS.

I am gravely concerned about the wis-

dom of adding an additional \$125 million to this bill for general aid to the schools for their lunch program for children from middle income families.

One of the most often heard rationales for an amendment to section 4 is that students who are paying the full price for their lunches are dropping out of the program as the prices increase. This is presented as a widespread malaise that threatens the very existence of the entire school lunch program, threatening the reduced price and free lunch programs as well.

It seems to me that if this drop in participation were as overwhelming a program as has been presented, that the original bill, as introduced by the committee's chairman, would have included a provision to lower prices to students. There was certainly ample time to hear about the problems from those persons and organizations who provided input for that original bill and who subsequently fought for a price rollback. Earlier this month, the Senate Select Committee on Nutrition and Human Surveyed State school food service directors on the school lunch program. Thirty-eight directors answered the questions, "Has the students price per lunch increased over last year?" and "Can you correlate loss of participation among paying students, if any, with this increase?"

More than half the State school lunch directors who responded felt they could not correlate any loss of paying students with an increase in school lunch prices. Some directors reported that many of the paying students who supposedly dropped out of the regular program actually became eligible for the reduced price program. The entire school lunch program has actually grown by about 500,000 students in the last year.

The genealogy of this amendment is fascinating. It began in committee with a ceiling of 25 cents on the cost of a regular lunch, a provision that would have cost \$700 million, which would have gone directly to the pockets of the nonpoor students currently paying an average price of 45 cents for lunch. The second version of the amendment was in the O'Hara substitute. This provision fixed a ceiling of 35 cents on the price of school lunches to middle-class children. The cost of the amendment: \$500 million. Mr. GOODLING's amendment to strike was adopted and the bill was taken from the House floor.

During the weeks that have passed, since we last debated the School Lunch Act, several other amendments to section 4 were discussed. They were finally dismissed as either too expensive—such as an escalator provision that would have cost almost a billion dollars by 1980, or they were considered to be unacceptable to the majority of the Members of this House for some other reason.

The increase in the price of school lunch to a middle-income student now seems to have lost some of its importance. There is in this 5 cents per lunch subsidy provision, no guarantee that the student will benefit directly. The school district may decide to use the money for some other purpose within the school lunch program.

An additional reason for my opposition to this amendment is the fact that the 5 cents goes where the largest numbers of paying students are. Those areas with concentrations of poor families will get much less money than areas of the country where there are concentrations of higher income families.

My final argument against this provision concerns this Nation's Federal budget. We all know that there is a limited amount of Federal money for antihunger and antipoverty programs. Spending money to subsidize lunch programs for middle-income students will undoubtedly make it more difficult than it already is to increase benefits for those Americans who are truly needy.

At this time the average food stamp benefit is only 24 cents per person per meal. This amendment would raise the per meal subsidy for a middle-income child in the school lunch program to almost 29 cents. Is this fair?

No, it is not. Please vote against this amendment.

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

Mr. Chairman, I think the point that the gentleman from Pennsylvania made in attempting the defeat the amendment is precisely the point we want to make in passing this amendment. He cited the increase in overall participation of some 5.5 million students in the past 5 years. Had he looked very closely at these figures, he would have realized that this increase took place in free and reduced-price lunches, while in the section 4 or paid lunches there was during the same period of time a loss of 2.7 million students participating. He therefore, concludes that all of the students who were heretofore on the paid-lunch program have now joined the free and reduced cost program; and that is why we have the increase.

That is not true at all. If we look at page 8—I advise the gentleman from Pennsylvania and others to look on page 8 of the committee report and see that in New York State where there was a very close survey done on this, that there they had a decline of 192,000 paying students during this period of time, but only 56,000 of them—only 56,000, less than one-third of them—joined the free and reduced-price lunches.

So I think in the area where there are statistics available, the conclusion is inescapable that while some students who have been paying for lunches have now joined the free and reduced-price lunch group, more students have dropped out of the paying section than have done this.

That indicates what so many of us are fearful about, that the strong backbone of the school lunch program is still in the paying portion of the school lunch program, and if we lose that, we begin to lose that support. Once that support is gone, then we are either for no school lunch program or we will have only a free and reduced paid lunch program. I do not think we want that to occur in this country.

We have had a strong school lunch program to provide nutritional value for all students. It is a program which works on economies of scale. In the event the

strong backbone of the paid-lunch program is lost to the program, there will not then be the economies of scale to provide a free and reduced-price lunch at present costs, so it is essential that we keep this section 4 strong.

It is essential that we have this 5 cents added so it can keep up with the increases that have occurred—increases, incidentally, which we provided for in free and in reduced-price lunches.

One other thing which I think is very important and which shows precisely what I am saying, that we have had an increase in the number of schools and students participating in addition to what I have cited as losses in the paid for program, the increases in the free and reduced price. During the period of time that the gentleman talks about, we have taken in an additional 4,000 schools which have joined the school lunch program since that time, and some 2.3 million students. One would think that with all of that increase we would have a very substantial increase in section 4, but no, that increase has come in the free and reduced price area, not in the strong backbone of section 4. The paid for program, if lost to us, will really bring about the demise of this program.

The CHAIRMAN. The time of the gentleman from Washington has expired.

(On request of Mr. GOODLING and by unanimous consent, Mr. MEEDS was allowed to proceed for 2 additional minutes.)

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

Mr. MEEDS. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I think the gentleman inadvertently misquoted me. I did not say it was an increase of 5.4 million in participation in the school lunch program. I said there was a free and reduced price lunch program.

What those of us in the school business want—if the gentleman will turn to page 10—

Mr. MEEDS. On page 10, that shows 5.5 million increase in the total.

Mr. GOODLING. Free and reduced, 2.7 million increase; 2.7 million decrease in paid, and an increase of 5.4 million in free and reduced, if I read that correctly.

Mr. MEEDS. An increase of 5.4 million in the free and reduced price, that is correct. Then, we would deduct 2.7 million for the decrease in section 4 participation.

Mr. GOODLING. 2.7 million increase in participation.

Mr. MEEDS. 2.7 million decrease in the section 4, of paid for lunch, which would give us the total overall.

Mr. GOODLING. Yes. In this 84-cent situation, we get that in the free lunch. That is more than the local school districts get when they prepare and serve as paid lunch. In both instances, the school districts get 84 cents, so there is no concern about the school districts as far as their costs are concerned because they are getting more money by participating in those programs. We were happy to see the increases that were made in reduced and free lunch.

Mr. MEEDS. But here is where the gentleman's argument really bogs down.



He is speaking, in effect, about increases in free and reduced price lunches. This amendment does not go to that. It goes to section 4.

Mr. GOODLING. There is no way I am speaking in opposition. The whole time through committee, I was trying to say that if we have a concern with those, 10, 11, 12, and higher people, that is the area to make the move, increase that particular area as far as being eligible.

Mr. MEEDS. This bill does that. We have already done that.

Mr. GOODLING. No, what we are trying to do now is take \$125 million from needy programs where we should be concerned about plowing it into an area where we have no justification to do it.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. BURKE of Massachusetts. Mr. Chairman, I rise in support of the amendment now before us and the O'Hara substitute to the original committee bill, H.R. 4222. Hopefully, we will have final action today on this strong and good supplement to America's already successful school lunch program and to the WIC program. I am pleased that after much confusion in the early penny-nickel-dime raises in the paying lunch ante we are near a decision that will assure the continuation of the program that makes nutrition and a full stomach the way of life for students who otherwise might have suffered.

Those students, the ones who benefit from the free lunch and reduced-price lunch programs are not affected by this bill, except to increase their numbers by easing eligibility and making it possible for children in families where unemployment has removed the head of the household from his or her job. This is a very valuable portion of this bill, as is the Chisholm amendment's order forcing the offering of reduced-priced meals to students eligible for them. I see it as another example of how Congress is keeping a watchful eye on the potential suffering of our citizens during these difficult economic times.

Most of the controversy in this bill has flowed around the sections of the committee bill and the substitute now before us that deals with the plight of the paying students, those who pay the full price of the school's cost, less a 22-cent subsidy by the Government. Because the maximum price of their meal is not mandated by the school lunch program's charter legislation, as the maximum price of the reduced-price lunch is, the paying students absorb most increases in costs to the schools, be they a result of genuine inflation in food or labor costs, or poor management, or waste.

There was an attempt, in the committee bill, and in the substitute, to set the maximum price of the paying student's lunch. The goal of these efforts was to keep the students' costs down, so as not to price the paying students out of the program and tip the balance of the program in the direction of a poverty program. That effort having been defeated by the Goodling amendment, we face now another amendment that intends to ease the burden of the paying

student, and with a cost to the Treasury of much lesser magnitude. It is an important step to help schools absorb their increased costs, instead of forcing them to pass them on to the paying students.

Here we have a proposed increase in that meager subsidy to the paying student of one nickel per meal for 1 year, which would raise the Federal subsidy per paid meal to 27 cents. Of course, the argument that we may be subsidizing poor management, or waste, still holds in the extreme, but the fact is we are helping the students by taking one nickel of what would be additional burden off their shoulders.

It would be nice to have a larger supplemental payment, of perhaps a dime or more, as educational interests point out. I would fully support a dime supplement, or more, as I supported the larger reimbursement that was included in the 25 cents and 35 cents maximum price plans. But we must be satisfied for the moment with a nickel and we must recognize that we are voting as we vote on this measure on the daily nutritional habits of millions of students.

It is important to keep in mind the targets of the school lunch program. We should remember that we are trying to make good lunches and nutrition available to all students at equitable rates. This has been our aim since the inception of the program and we should stick by it, even if it comes to partially subsidizing lunches for students through many ranges of income.

The money involved here, \$130 million, should not be the issue that begs the decision. Our decision should be based on the successful history of the school lunch program, its achievements, and a continued desire to keep this opportunity open to as many students as possible.

I urge my colleagues to support the additional hike in the Federal reimbursement of 5 cents per paid meal. In the end analysis, the beneficiary of this action will be the students, and their families, and the educational process.

The Congress can be proud of the school lunch program, as I think we can be proud of our record so far this term in battling inflation and helping Americans climb out of this recession, slowly, but surely and proudly, with self-determination.

This 5 cent additional supplement is one more significant helping hand that may or may not be noticed by many American families. Probably, it will not be noticed, for when prices stay the same consumers generally do not notice a suspended price hike unless it is suspended with great fanfare.

Even without much fanfare, I believe this extra nickel will go a long way. I urge acceptance of this amendment so we may quickly get on with the needed strengthening of the school lunch program.

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

Mr. Chairman, despite what some of my colleagues have stated on the floor and despite the editorial in this morning's edition of the August Washington Post, there is evidence of a definite relationship between the cost of school lunches and student participation. A recent survey of the lunch program in ele-

mentary schools in my home State of Wisconsin shows that where the student charge was 25 cents, there was 82 percent participation; if the price was 35 cents, 68 percent participated; if the cost was 45 cents, only 44 percent bought lunches, and if the charge was 55 cents, a mere 22 percent purchased the hot lunch.

The 5 cent supplemental payment for fiscal year 1976 proposed in the committee amendment will serve only to help preserve the present price structure. Without it the figures I quoted above clearly indicate that price increases required by increased costs will further erode the entire school lunch program.

Let us keep in mind also that, as President Ford recently stated in describing the problems of the middle-class family, half of the families in this country today have an income of between \$10,000 and \$25,000 per year. This bill would at least in some small way aid such families while continuing the reduced and free lunch programs for the lower-income groups. It is ridiculous to oppose such a measure simply because incidentally in rare instances we may be providing some modest assistance to a well-to-do family.

The basic question: Do we want to continue a program that makes possible a nutritious hot lunch for America's schoolchildren? If your answer is yes, your vote should be yes on this amendment.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. CORNELL. I yield to the gentleman from California (Mr. MILLER).

Mr. MILLER of California. Mr. Chairman, the bill that we now have before us is likely to cause very substantial improvements in the child feeding programs, particularly the school breakfast program. Since the breakfast program has failed to reach many of the impoverished children that need that program's benefits, the legislation currently being considered is of vital significance.

Under the present law, the State educational agency is required to develop a plan for child nutrition operations and submit it to the Secretary prior to January 1 of each year. The submission of this plan is a prerequisite to the distribution of any funds and commodities to States for the child nutrition operations formulated under the School Lunch and Child Nutrition Acts. This plan must not only be properly prepared but the State educational agency has a clear and mandatory responsibility to fulfill the commitments and plans its set forth in its State plan of child nutrition operations.

With regard to the breakfast program, each State educational agency is required to describe how it intends to use section 4 funds of the Child Nutrition Act, as well as funds from sources within the State, to reach—"to the maximum extent practicable"—needy children. Thus, the State educational agency must devise specific plans that set forth how schools in impoverished areas, currently without a breakfast program, will be brought into the program under an explicit timetable.

Through this process, the Secretary of Agriculture knows how many schools will initiate the breakfast program and when those schools will start serving breakfasts; this provides for orderly

planning within the Agriculture Department. In addition, this process reliably informs the pertinent communities about the timetables for getting new programs started, thereby giving them confidence in their State and local educational agencies' commitments to the expansion of the breakfast program. Obviously, then, the essence of our current law is a fixed timetable, properly compiled with, setting forth when new school breakfast programs will be established in each State—such timetable reflecting the requirements that needy children are to be served "to the maximum extent practicable."

The legislation which our committee drafted, and which we hope to pass today, will put more teeth in the school breakfast program requirements. We take several steps beyond the specific requirements in the current law, especially devising a meaningful procedure for the fulfillment of our commitment to make the program "available in all schools where it is needed to provide adequate nutrition for children in attendance." The Secretary of Agriculture, in cooperation with State educational agencies, is required to devise a regulatory scheme for the accomplishment of our stated objective.

We require the Secretary to conduct a program of information to expand the program. More importantly, the Secretary must devise specific plans for the expansion of the breakfast program on a mandatory basis among schools in needy areas. At a minimum, the Secretary is expected to require the implementation of the program in schools that have numerous children, in attendance therein, who are needy.

This requirement should be pertinent to schools eligible for title I assistance—under the Elementary and Secondary Education Act—for example, and to schools that have a high percentage of children eligible for free and reduced-price school lunches. A school with more than one-fourth of its children eligible for free and reduced-price lunches should, under this requirement, be obligated to implement the breakfast program.

Since we know that hungry children cannot learn properly, these significant advances in the school breakfast program will be critical to our Nation's educational advancement. The mandatory expansion of the school breakfast program, as envisioned by the current bill, will do much to feed the youngsters of our country who are in dire need of nutritional assistance. Therefore, I support this bill and urge my colleagues to do likewise.

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

Mr. CORNELL. I yield to the gentleman.

Mr. GOODLING. Mr. Chairman, the gentleman touched on one area that I am very concerned about.

Does the gentleman have any statistics on those increases of a la carte lunches that were served? As we know, up until not too long ago one was not allowed to serve anything but the class A lunch. A la carte is becoming a very,

very fashionable thing. It has taken many school students out of the regular program.

Does the gentleman have any figures on the increase of the a la carte lunch participation?

Mr. CORNELL. The gentleman will note that the statistics I have given in the survey that was taken were only applicable to the elementary schools, and in the elementary schools they did not have the a la carte food service. All of these figures demonstrate simply the tremendous decrease in the hot lunch program as the cost went up 5 cents at a time.

Mr. GOODLING. In my State, they do have a la carte all the way through, and it has been a very, very attractive program.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask some questions in order to clarify, at least in my mind, a problem which I find with this amendment. I do not care which side of the aisle answers the questions.

Am I to understand that the 5-cent supplement is to be given to people who earn more than \$10,000 a year?

Mr. PERKINS. If the gentleman will yield, I will answer the gentleman.

Mr. DE LA GARZA. Is that what we are doing with the amendment?

Mr. PERKINS. We have, first, the free school lunch program that provides for children from families with income of up to 125 percent of the poverty guideline. The reduced-price program is for children from families with incomes up to \$9,000 presently, however, we have less than 1 million children participating presently in the reduced-price program. This amendment will take care of all children who participate in the regular school lunch program. The 5 cents is not given to any family; it is given to school districts to help them keep their prices down. It is our hope that prices will not increase, if we provide the 5-cent supplement.

Mr. DE LA GARZA. I thank the gentleman.

Maybe the gentleman from Minnesota (Mr. QUIE) can help me.

Who gets free lunch? What level of income gets a free lunch?

Mr. QUIE. If the gentleman will yield, the free lunch goes to anyone whose income is up to 25 percent above the low-income factor, which is \$5,010, so the figure is a little over or is, I think, \$6,262.

Mr. DE LA GARZA. Below that, one gets a free lunch?

Mr. QUIE. That is right, and everybody who is unemployed does also.

Mr. DE LA GARZA. Where does the 5 cents come in? Whom are we helping there?

Mr. QUIE. The answer to the gentleman's first question was yes; that is only for those in a family of four with an income of \$10,020 and above.

Mr. DE LA GARZA. Therefore, this amendment by the gentleman from Kentucky (Mr. PERKINS) would add 5 cents onto each meal in the case of the child of any family of four earning over \$10,000 a year?

Mr. QUIE. That is right; it is only for those in a family of four whose income is over \$10,020 a year.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman very much. That clarifies in my mind the question I had.

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

Mr. Chairman, I rise in support of the amendment offered by the chairman of the full committee.

The Members will recall that during the last debate by this committee on the subject bill, I opposed the recommendation which the committee made with respect to establishing a national school lunch price. I felt that this was very unfair and that it would provide for very large subsidies to those school systems that had not been careful and attentive to cost and considerate of the pocket-books of the paying students. It seemed to me that if we were going to adopt a program to help our school systems meet the rising costs of preparing their school lunches, everyone ought to receive the same amount of financial support. Therefore, in accordance with this general approach, I offered an amendment which would have provided a 10-cent additional subsidy to all school systems, with the proviso that this 10 cents would have to, in some way, be used to lower the price of the lunch.

In taking this matter back to the committee and in discussing it more thoroughly with the chairman and others who had been supporting the committee amendments, I now find that the compromise which has been worked out is a satisfactory one. True, I would prefer the 10 cents, but it seems to me that the 5-cent amendment is absolutely imperative. Anyone who has been involved in the difficult process of making ends meet, whether in a family household or in the school lunch program, surely knows, month by month, how much additional money is required just to keep even, for the purchase and preparation of food, salaries for the lunch program personnel, increases in utility costs and paper costs; everything has gone up.

It seems to me that the 5-cent recommendation which the committee is now making to the House is an entirely reasonable one. It does not guarantee that the school lunch costs will not increase, but at least it will give the school systems an opportunity to hold the line to make it possible for the families across the country that are not participating in a free lunch program or a reduced price lunch program to have the opportunity of looking forward to another school year where the prices of lunches, at least, will be held to the status quo.

If the Members would look at a Senate study which was released recently regarding a survey which was sent to the States, you will note that of the 38 States that reported with respect to increases in their school lunch prices in the school year 1973 and in the school year 1974, 27 of those school districts out of the 38 States that replied, indicated they had to raise the prices of their school lunches either a nickel or higher, some went up 10 cents, and more. In one State the increase was in excess of 10 cents.



We are not dealing with a hypothetical question. We are dealing with the immediate prospect that come September in addition to a number of schools raising the price of the school books and other items, they will have to raise the price of the school lunches.

It seems to me to be patently unfair that in increasing the number of children who will qualify for the free lunches and reduced-price lunches if we do not also provide additional funds for the general support of the program as a whole. The whole school lunch system needs to be supported. I believe students should be given some assurances that the prices of their lunches will not increase in September. Passage of this amendment will help assure this.

This is really what this debate is all about. The system needs at least this additional nickel to maintain themselves in a status quo position, in the face of the accelerating costs of the program.

The report from the Senate committee indicates that the cost of preparing the lunches have gone up some 28 percent. What has the Congress done to help meet this rise in costs?

We have only given an additional penny and three-quarters in cash, so instead of 10 cents, we have raised the Government's subsidy to 11¼ cents, far below what the increase in costs to the school system have been to prepare the lunches. Let us not be blind to the needs of the schools. This is just as critical as other school programs. Let us not divide in this House between those who want feeds only for the poor and for programs that only benefit the poor. My own State has a policy which provides that the rate is 25 cents. This means a State subsidy in excess of 30 cents for each lunch served. We are facing the possibility of having to increase that subsidy by an additional nickel in September. To the extent that the State must further subsidize this program, all children suffer, rich and poor alike, as it merely takes money away from other needed programs. It seems to me if we are truly interested in supporting this program, and if we consider the school lunch program as an integral part of our school system, then we have got to give just as much attention to this area as we do to books, libraries, and all the other aspects of elementary and secondary education that Congress supports.

I urge your support of this important amendment.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, the gentleman from Minnesota (Mr. QUIE) made reference to an amendment that I offered in the committee—and I believe it was adopted unanimously, or almost unanimously—to automatically qualify a child in a household where the normal breadwinner is unemployed during that period of unemployment. It further requires the school districts to notify the population that this free lunch is to be available. However, after that amendment was

adopted, I discovered through a study of the school lunch program in Wayne County, Mich., that I have already on a previous day where we discussed this bill put into the RECORD. This study covers all of the school districts in Wayne County, including the City of Detroit. We have had such a severe impact because of the increased cost of maintaining a hot-lunch program that in my congressional district, where the unemployment in some school districts is now in excess of 15 percent, my amendment cannot help children of unemployed parents because many elementary schools have long since ceased participating in the school lunch program.

With schools in States like Michigan being turned down more and more frequently on their appeals for increased millage, and with the highest millage rates in the entire State located within my area, I find that the school boards, hard pressed to make economy moves, are cutting out many extra activities. They are cutting down on counselors, and they have cut back on basic programs. One does not have to have a lot of imagination to understand how well the hot-lunch program survives under those pressures.

So the effect of my amendment would be great, I will say to the gentleman from Minnesota, if, in fact, the school lunch program were something universally available to the children in areas of working people. But I think we are going to find that the blue-collar residential communities around our industrial cities have less than half of the elementary children exposed to either a free or a paid hot lunch.

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

Mr. FORD of Michigan. I yield to the gentleman from Minnesota.

Mr. QUIE. I thank the gentleman for yielding.

How will this 5 cents then help the gentleman's situation?

Mr. FORD of Michigan. Because the 5 cents is an incentive for them to either continue and not drop further schools out of the program, or to come back into the program. Presumably the \$125 million would do that. I am going to be realistic with the gentleman in saying that \$125 million is so inadequate for the purpose that it is not likely to produce a whole lot of new exposure for children. It may, however, save a few of the existing programs. It is far worse than a band-aid on a broken arm, frankly, and I am somewhat ashamed to support this overly modest effort for a nickel.

Mr. QUIE. Will the gentleman yield further?

Mr. FORD of Michigan. Yes, I yield to the gentleman.

Mr. QUIE. For the free lunch for the unemployed, the Federal Government will pay the total cost.

Mr. FORD of Michigan. Yes, if there is a free-lunch program in the school, but there is not a free-lunch program in the school if the local school board has decided they cannot afford it.

Mr. QUIE. If the gentleman will yield

further, think of what we can do to induce the school by paying 84 cents by this bill for all of the free lunches, and 64 cents for all of the reduced-cost lunches. That is going to be the incentive to bring the schools back into the program who stayed out of it. That will be the incentive to hold them in the program who are thinking of going out of it, rather than the extra 5 cents for those who can afford to pay for it.

Mr. FORD of Michigan. I agree with the gentleman, that will be helpful. What we really ought to do is provide a universal nutritional hot lunch program for all children in the public schools. Since the gentleman and others on the committee are not willing to go that far with me, I am faced with having to support this very weak, very pallid, very shameful and inadequate amendment for a measly \$125 million.

Mr. QUIE. Will the gentleman yield further?

Mr. FORD of Michigan. I yield to the gentleman.

Mr. QUIE. If we went to a free lunch for everyone, then those who would pay for their own lunch would drop down to zero, if that is the concern of the gentleman's side of the aisle.

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

Mr. Chairman, I regret rising in opposition to an amendment offered by the chairman of my committee, because I think the program and his efforts have been outstanding. I must agree with the gentleman from New York (Mrs. CHISHOLM) in her outline of the impact of this program.

I wonder when I hear many of my friends on this side of the aisle speaking of adding this 5 cents to the middle income area as though this is really a plus for the middle income people, because I believe we all in this Congress know this \$125 million we are speaking of, which let us say is a nickel on every lunch for that middle income person or 25 cents a week or probably less than \$10 a year, that \$125 million is going to be paid for by the middle income family in taxes because they do pay most of the taxes, so I do not think we are doing them a favor.

However I would like to look at it a little differently and say if I had \$125 million to spend how would I spend it. Frankly I would like to see more in the title I programs under the Elementary and Secondary Education Act. I would like to see more in libraries. I would like to see more in the bilingual programs. I would like to see more in summer jobs.

We have been talking about jobs now under the regulations which provide that States right now with Federal appropriated money to do road work and road repair still have to put up 10 percent of the money before the Federal Government puts up 90 percent. I would like to see us waive that 10 percent for a while and get people back to work, and this \$125 million would very much help.

For my agriculture friends and people I strongly feel those who are faced with the problems of increased fertilizer cost,

I would like to see \$125 million go toward subsidizing the fertilizer cost for our farmers so they can produce food at less cost. This is the type of thing I think we should do.

Mr. FORD of Michigan. Mr. Speaker, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, the gentleman now in the well, as other speakers before him, throws around the expression "middle income." I have in my hand a print from the Federal Register of July 24, of the fiscal year 1975 figures. Would the gentleman say a family of 12 on an income of \$9,220 is a middle income family well able to pay for school lunches for four children?

Mr. PEYSER. No, I would not.

Mr. FORD of Michigan. Or \$10,000—that is the break-off point. Is the gentleman saying a family of four with \$11,500 income is a middle income family that can pay without difficulty for its lunches at the increased cost?

Mr. PEYSER. No, I am afraid I will say to my friend, I am not saying that at all.

The gentleman is well aware of the statistics in this school lunch program. We are talking about families with \$10,000 income or more and we are talking about 5 cents on each lunch for that family. If we went out to that family and talked about helping at the expense of having them lose money—because I am willing to fight for that money, and the gentleman knows I am—they are all overfunded. Let us not talk about having the middle income families pay \$125 million in taxes for this small amount they receive.

Mr. FORD of Michigan. I cannot understand. Would the gentleman consider a family of seven with income of \$6,450 to be middle income? That is the point where a family of seven will qualify—or as the gentleman would say they become "middle income."

Mr. PEYSER. I do not call that a middle income family.

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

Mr. PEYSER. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I think we should straighten out one thing very quickly. There was reference to a family of 12 making \$9,000. I would like to say a family of 12 making \$18,000 could receive reduced price lunches. I do not think we should let that go unexplained.

Mr. PEYSER. I thank the gentleman.

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

(Mr. MOTTL asked and was given permission to revise and extend his remarks.)

Mr. Chairman, I rise to support the amendment offered by the gentleman from Kentucky (Mr. PERKINS). As the distinguished gentleman from Michigan stated, this is a token gesture at least, something we are offering to the average income people is our society.

I think this is a humanitarian amendment. We have talked last week about humanitarian aid and we spent many hours of debate on humanitarian aid to

South Vietnam. Tomorrow undoubtedly Vietnam will have additional humanitarian aid given to it to the tune of well over \$300 million. I think humanitarian aid should be given to the average income people, to people between \$10,000 and \$25,000 earning capacity. These people have been devastated by the spiraling inflation over the last several years. Let us do something for these people who provide the most taxes, which in turn provides our national defense and who provide money for HEW and who provide money for all the other bona fide programs that Congress and the people of the United States desire.

The superintendent of Cleveland schools, Mr. Paul Briggs, and all the other superintendents of schools in the 23d Congressional District of Ohio have endorsed the Perkins amendment. So let us strike a blow; let us do something for the average income people in our society. We do not want to take anything away from the poverty group or the reduced lunches programs. Let us keep them at present level, or even improve them, but let us do something once and for all for the average income people.

So I entreat my colleagues to support this amendment. As the chairman stated, we also urge to a great extent help for the poverty group and the other people up to \$10,000. Let us now do something for the people from \$10,000 to \$25,000.

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

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

Mr. PEYSER. The gentleman mentioned the 23d Congressional District in Ohio. The 23d Congressional District in New York did not support this amendment.

My question is basically if we pass this \$125 million of extra cost we are putting in this bill, where does that money come from?

Mr. MOTTL. Mr. Chairman, it is paid by the taxpayer; but I think the average income taxpayers who bear the great tax burden of our society, those people that earn between \$10,000 and \$25,000, would like to get something back for once.

Mr. PEYSER. If the gentleman will yield further, I would agree with the gentleman. In other words, I would agree with a larger rebate in taxes to those individuals as well; but the problem is that we are asking those people to take this 5 cents a day, 5 days a week, and pay it back in taxes.

Mr. MOTTL. They are the ones who pay the \$125 million.

Mr. PEYSER. Other than that, I think it is a great idea.

Mr. MOTTL. May I say to the gentleman from New York, his point is well taken. The point I wish to make is these taxpayers should get something back to help their sons and daughters. Also, where are our priorities? I think it is prudent to help people who are in the \$10,000 to \$25,000 bracket. Let us give humanitarian aid to our people, rather than the people in Vietnam.

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

Mr. MOTTL. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, I might respond to the gentleman from New York by asking him who pays the taxes for the increases for free and reduced-price lunches? The middle-income people pay for that, too, and they are not getting one darned cent from that. Here is something that will get something back for them.

Mr. PEYSER. If the gentleman will yield further, I agree, that is where the money would come from; but I just do not like to see us spending this money now for the middle-income group from the middle income. They have to pay for that money today.

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

Mr. Chairman, I want to say to the Committee, I do believe this idea is better than the previous one. At a different time and place I would support it. However, given the degree of the economic crisis and the other priorities that have been earlier mentioned and given the fact that what the gentleman from New York has just said is clearly true, I must oppose it at this time. The people from \$10,000 to \$25,000 in income are the people who will pay the bill. They will simply pay in terms of more taxes and more economic crises, if we add unnecessarily to the deficit allegedly for their sake.

I think the best way to help the average American family is by spending less money and not doing things through the Government that the average family in my district would rather do for themselves.

Therefore, I urge the defeat of the amendment and the passage of the school lunch program.

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

Mr. Chairman, there are several sets of statistics I would suggest we keep in mind as we make this decision. The one that the distinguished gentleman from Pennsylvania (Mr. GOODLING), as well as the gentleman from Minnesota (Mr. QUINN) have mentioned is the increasing participation; but in order to get 500,000 more young people participating in 1974, we had to have 800,000 additional free and reduced meals.

In addition, fewer and fewer schools are participating. The second set of statistics—I am going to ask the distinguished gentleman from Wisconsin (Mr. CORNELL) if he would not mind repeating those, because I think these are extremely significant.

Mr. CORNELL. Mr. Chairman, if the gentleman will yield, I shall be pleased to oblige him.

The number of participating elementary schools in this survey was 1,797 throughout the State of Wisconsin. The number of students attending those schools was over 1½ million. Figures showed that as the charge for the school lunch went up, the student participation decreased substantially.

Where we have 25-cent lunches, 82 percent participated; 35-cent lunches, 68 percent participated; 45-cent lunches, 44 percent participated; and 55-cent lunches, only 22 percent participated.



Mr. SIMON. I think that is extremely significant. Then, I would add one other set of figures which I think are important. On the paying lunch, what percentage of the paying lunch is paid by the Federal Government today? Twenty-one percent. What was it 10 years ago? It was 27 percent. What was it 25 years ago? It was 33 percent. We are going in just exactly the wrong direction in my opinion.

Finally, the question was raised, I think by the gentleman from New York or the gentleman from Michigan, as to who pays. I think the fundamental question is not who pays, but what is for the benefit of the general welfare of this Nation. I think what benefits the general welfare of this Nation is maximum participation in our school lunch program.

The more schools, the more young people that participate, the healthier Nation we are going to have in 10 and 20 and 30 years from now, and a better education product we are going to have today. The other question is, will this \$125 million aid in those things, and it seems to me it is clear that they will.

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

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

Mr. PEYSER. Mr. Chairman, I do want the gentleman to know that I have actively pushed this thing and supported every school lunch program and summer feeding program to enlarge them as best we could at all times, and I will still continue in that effort.

I guess what I am hung up on is, I do not think we are helping the people that it is inferred will be helped. In other words, 5 cents a day for the so-called \$10,000 and up family, because they have to pay that bill, will not help. I have talked to these people, and I have talked to them about this issue. We were talking about \$80 million last week, because that is what it was at that time. They say, "We would rather pay the nickel a day for the lunches if it is going to cost us \$80 million."

I do not think, in other words, there will be a large increase because we have a family with a \$12,000 income who will now get lunch 5 cents cheaper.

Mr. SIMON. First of all, I will commend the gentleman from New York on his distinguished record, and I hate to see him mar that record today, but the gentleman from New York did hear the statistics that were read by the distinguished gentleman from Wisconsin.

Mr. PEYSER. I did hear the statistics that were read, and as I heard them, even applying this nickel to that, I think it would make a difference in the percentages of only about 2 or 3 percent. If we take the figures he read and the range he read, it would still only make about 2 or 3 percent difference on the 5 cents. If that is elementary school only he was talking about—and he made a point of it—if we take the entire program which includes all levels, elementary and secondary schools, I think the gentleman will find that will represent about one-half of 1 percent.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(On request of Mr. GOODLING, and by unanimous consent, Mr. SIMON was allowed to proceed for 2 additional minutes.)

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

Mr. SIMON. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. For this reason, I say to my friend in the well, do you have figures that would indicate that there are fewer schools participating in the school lunch program?

I would like to see those, because I think the Members will find that there has been an increase every year in the number of schools participating in this program.

The point I tried to make before was that if one gets 84 cents for free lunches, 64 plus 20, for the reduced price, we are ahead of the game in the cafeteria business.

I think if one would check carefully, we have had an increase. We now have 92 percent of all public schools participating in the school lunch program.

Mr. SIMON. In response, I was going through the reports. I was trying to find that figure. Someone testified before the committee—and I will yield to any others who are here if they remember it—that there was a decline in the number of schools participating. I do not recall the figures, but it was a pretty dramatic decline.

Mr. GOODLING. I asked for the figures on Friday. They have been increasing every year, and we are now up to 92 percent of all public schools.

Mr. SIMON. I have no figure to counter that. My impression was to the contrary, but I really cannot answer the gentleman's question.

Mr. GOODLING. I thank the gentleman.

Mr. RICHMOND. Mr. Chairman, I rise in opposition to the amendment. I am opposed to the amendment because it is not, in my mind, the proper approach to take in trying to improve our child nutrition program.

Mr. Chairman, this amendment will cost the taxpayers \$120 million and will benefit those who can afford school lunches rather than those who cannot afford school lunches.

For example, right here in Montgomery County, Md., one of the richest counties in the Nation, they will receive more money as a result of this amendment than the entire city of Chicago.

In New York City, it is estimated that only 35,000 children will be helped by the amendment, 35,000 children out of more than 500,000 children participating in the school lunch program. This means less than \$500,000 in Federal funds to New York City residents, while the benefits of the rest of this bill combined mean a much needed \$60 million to the city.

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

Mr. RICHMOND. I yield to the gentleman.

Mr. PERKINS. Let me say to the distinguished gentleman that we increased the income guideline for our reduced-price lunches from \$7,900 up to \$9,500.

That will eventually bring in about 7 million children for reduced-price lunches. I would like to go much higher. We are trying to have a balanced program so that we will not let our regular school lunch program go down the drain.

If the gentleman will check his figures in New York City, the gentleman will find they lost several regular school lunch programs, and free and reduced-price lunch programs had to close down because the regular program was priced out of the market. The price was beyond what many school children could pay.

Here we are trying to strengthen the regular program so that there will not have to be an increase in price. That is what we are trying to do. At the same time, we have done something for the free and reduced price so that they can expand by several million children. But we have done nothing for the regular program, and I think this is something that would be beneficial.

Mr. RICHMOND. Mr. Chairman, my only answer is that I think there is so much more we can do for the middle-income people in the United States, so much more.

Mr. PERKINS. I agree with the gentleman, and I am ready to do it.

Mr. RICHMOND. Just as an example, the middle-income person who wants to build a house should get a substantial tax incentive for installing solar energy equipment on his roof.

Mr. PERKINS. I am ready to help the gentleman do it.

Mr. RICHMOND. I will just finish, if I may.

Mr. Chairman, I am also opposed to the amendment because the funds could be spent helping poor children. New York is not, as the proponents of this amendment claim, losing participation in the school lunch program; it is gaining them.

What we need to do is to help those who need help most, not give a handout to those who can take care of themselves.

With this amendment, Mr. Chairman, the bill is in jeopardy of losing the bipartisan support it has enjoyed and needs. I urge my colleagues to think twice about jeopardizing this vital legislation because of the misdirected priorities of this amendment.

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

Mr. RICHMOND. I yield to the gentleman from Florida.

Mr. LEHMAN. Mr. Chairman, I thank the gentleman for yielding.

I will just take a moment. In Florida we cannot make up a deficit in our school lunch program by local funds. The only place we have to go is to those who are paying for school lunches. To go to them again will drive more out of the program and be, as I said before, self-destructive.

Mr. Chairman, we must pick up the burden to save the school lunch program.

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

Mr. RICHMOND. I yield to the gentleman from Wisconsin.

Mr. CORNELL. I would like to ask this question: Has the gentleman any idea of what percentage of school children

in his home district are receiving reduced-price or free lunches?

Mr. RICHMOND. To answer the gentleman, in my own district I would expect—and I know my colleague, the gentleman from New York (Ms. CHISHOLM) will bear this out—that almost every child receives reduced-price lunches. The gentleman from New York (Ms. CHISHOLM) and I represent the two poorest districts in New York City.

Mr. CORNELL. Yes; I know.

Mr. RICHMOND. And we do not think that the middle class really needs that extra 5 cents.

Mr. CORNELL. I realize that, and that is why I rise, because I anticipate that if we really want to save the program, that is what this is for. That is our point here, so that we will have greater participation, and the addition of the 5 cents is to try to get greater participation so that we can continue the program for people such as in the gentleman's district.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky (Mr. PERKINS) to the amendment in the nature of a substitute offered by the gentleman from Michigan (Mr. O'HARA).

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

#### RECORDED VOTE

Mr. QUIE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 213, noes 176, not voting 43, as follows:

#### [Roll No. 158]

##### AYES—213

Adams	Edgar	Johnson, Calif.
Addabbo	Edwards, Calif.	Jones, N.C.
Ambro	Eilberg	Jones, Tenn.
Anderson, Calif.	English	Jordan
Annunzio	Evans, Colo.	Karth
Aspin	Evans, Ind.	Kastenmeier
AuCoin	Fascell	Kazen
Baldus	Fisher	Keys
Barrett	Fithian	Krebs
Baucus	Florio	Lehman
Beard, R.I.	Flynt	Levitas
Bedell	Foley	Litton
Bevill	Ford, Mich.	Lloyd, Calif.
Blanchard	Ford, Tenn.	Lloyd, Tenn.
Boland	Fountain	Long, La.
Bolling	Fraser	Long, Md.
Bonker	Fulton	Lujan
Bowen	Fuqua	McCormack
Breckinridge	Gaydos	McDade
Brinkley	Gibbons	McFall
Brodhead	Ginn	McKay
Brooks	Green	Macdonald
Brown, Calif.	Gude	Madden
Burke, Calif.	Guyser	Madigan
Burke, Fla.	Haley	Maguire
Burke, Mass.	Hall	Meeds
Burton, John	Hamilton	Meicher
Burton, Phillip	Hammer	Metcalfe
Carney	schmidt	Meyner
Carr	Hannaford	Mezvinsky
Carter	Harrington	Mikva
Clay	Harris	Milford
Collins, Ill.	Hawkins	Miller, Calif.
Corman	Hayes, Ind.	Mineta
Cornell	Hays, Ohio	Minish
Daniels	Hechler, W. Va.	Mink
Dominick V.	Hefner	Moakley
Danielson	Helstoski	Moffett
Davis	Henderson	Moorhead, Pa.
Deaney	Hicks	Morgan
Dent	Holland	Moss
Dingell	Horton	Mottl
Downey	Howe	Murphy, Ill.
Drinan	Hubbard	Murphy, N.Y.
Early	Hungate	Murtha
Eckhardt	Jacobs	Natcher
	Jenrette	Neal

Nedzi	Rose
Nix	Rosenthal
Nolan	Rostenkowski
Nowak	Traxler
Oberstar	Roush
Obey	Roybal
O'Hara	Ryan
O'Neill	St Germain
Patman	Sarbanes
Patten	Scheuer
Patterson, Calif.	Schroeder
Pepper	Seiberling
Perkins	Sharp
Pressler	Simon
Preyer	Sisk
Price	Slack
Randall	Smith, Iowa
Reuss	Solarz
Riegle	Spellman
Risenhoover	Staggers
Rodino	Stanton, James V.
Roe	Stark
Rogers	Steed
Roncalio	Stephens
Rooney	Stratton
	Stuckey
	Studds

#### NOES—176

Abdnor	Esch	Moore
Abzug	Eshleman	Moorhead, Calif.
Alexander	Fenwick	Mosher
Anderson, Ill.	Findley	Myers, Ind.
Andrews, N. Dak.	Fish	Myers, Pa.
Archer	Flowers	Nichols
Armstrong	Forsythe	O'Brien
Ashbrook	Frenzel	Ottinger
Ashley	Frey	Passman
Badillo	Gialmo	Peyser
Bafalis	Gilman	Pickle
Bauman	Goldwater	Pike
Beard, Tenn.	Gooding	Quie
Bell	Gradison	Quillen
Bennett	Grassley	Regula
Bergland	Hagedorn	Rhodes
Blester	Hanley	Richmond
Bingham	Hastings	Rinaldo
Blouin	Hébert	Roberts
Breaux	Heckler, Mass.	Robinson
Brown, Ohio	Heinz	Rousselot
Broyhill	Hightower	Runnels
Buchanan	Hillis	Santini
Burleson, Tex.	Hinshaw	Sarasin
Burlison, Mo.	Holt	Satterfield
Butler	Holtzman	Schneebeli
Byron	Hughes	Schulze
Casey	Hutchinson	Sebellus
Cederberg	Hyde	Shuster
Chisholm	Jarman	Sikes
Clancy	Jeffords	Skubitz
Clausen	Johnson, Colo.	Smith, Nebr.
Don H.	Johnson, Pa.	Snyder
Clawson, Del	Jones, Okla.	Spence
Cleveland	Kasten	Stanton
Cohen	Kelly	J. William Steelman
Collins, Tex.	Ketchum	Steiger, Ariz.
Conable	Kindness	Steiger, Wis.
Conlan	Koch	Stokes
Conte	LaFalce	Symms
Conyers	Lagomarsino	Talcott
Cotter	Landrum	Taylor, Mo.
Coughlin	Latta	Teague
D'Amours	Lent	Thone
Daniel, Dan	McClory	Thornton
Daniel, Robert W., Jr.	McCloskey	Treen
de la Garza	McCollister	Vander Jagt
Derrick	McDonald	Waggonner
Derwinski	McEwen	Walsh
Deyne	McHugh	Wampler
Dickinson	McKinney	Whitehurst
Dodd	Mahon	Whitten
Downing	Mann	Wiggins
Duncan, Oreg.	Martin	Wilson, Bob
Duncan, Tenn.	Mathis	Winn
du Pont	Mazzoli	Wyder
Edwards, Ala.	Michel	Wylie
Emery	Miller, Ohio	
Erlenborn	Mitchell, Md.	
	Mitchell, N.Y.	
	Montgomery	

#### NOT VOTING—43

Andrews, N.C.	Hansen	Rallsback
Biaggi	Harkin	Rangel
Boggs	Harsha	Rees
Brademas	Howard	Ruppe
Broomfield	Ichord	Russo
Brown, Mich.	Jones, Ala.	Shipley
Burgener	Kemp	Shriver
Chappell	Krueger	Sullivan
Cochran	Leggett	Symington
Crane	Lott	Vanik
Dellums	Matsunaga	Wilson,
Diggs	Mills	Charles, Tex.
Evins, Tenn.	Mollohan	Young, Fla.
Flood	Poage	Young, Ga.
Gonzalez	Pritchard	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PERKINS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. O'HARA

Mr. PERKINS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. PERKINS to the amendment in the nature of a substitute offered by Mr. O'HARA: Page 17 of the amendment in the nature of a substitute offered by Mr. O'HARA, immediately after line 7 add the following:

(e) The last sentence of section 17(a) of the Child Nutrition Act of 1966 is further amended by striking out the period at the end of the sentence and inserting a comma in lieu thereof and adding the following: "and any eligible local health or welfare agency or private non-profit agency that applies to operate such a supplemental food program immediately shall be provided with the necessary funds to carry out the program for all eligible persons that such an applicant agency can demonstrate to the satisfaction of the health department or comparable agency of each State; Indian tribe, band, or group recognized by the Department of Interior; or the Indian Health Service of the Department of Health, Education, and Welfare that it is capable of serving under the program. The requirements set forth herein shall not be construed to permit the Secretary to ratably reduce the amount of foods that an eligible health or welfare agency shall distribute under the program to pregnant or lactating mothers and infants: Provided however, that the Secretary periodically may revise the types and quantities of food issued under the program as he deems necessary for the provision of adequate nutrition to pregnant or lactating mothers and infants."

(f) Subsection (f) of section 17 of the Child Nutrition Act of 1966 is amended by adding at the end thereof the following new clause:

"(5) 'Eligible local health or welfare agency or private non-profit agency' under this section shall mean any clinic or other health agency determined by the health department or comparable agency of each State; Indian tribe, band, or group recognized by the Department of Interior; or the Indian Health Service of the Department of Health, Education and Welfare to be serving significant numbers of infants and pregnant and lactating mothers at nutritional risk with, or in association with, one or more persons of competent professional authority, thus rendering such agency eligible to participate in the program."

Mr. PERKINS. Mr. Chairman, first let me state that we authorized the original so-called WIC program in 1972. It appeared that the administration was very hostile to the program, so a court order, a suit was filed, in the district court and the court ordered the first \$20 million spent.

This is a very popular program. This last year we spent \$95 million. We have authorized some \$250 million in the O'Hara substitute, as amended; but it is believed that the money will not be spent unless we do make clear that the allocation of funds is put on a performance basis. The program is administered by the local health agency, so the Government, in my judgment, has got value received for every dollar spent under the so-called WIC program.

As I stated, the total of \$125 million was made available for the WIC program



for fiscal year 1975, and the Secretary was ordered to spend the entire amount. It is projected that the approximate WIC expenditures for fiscal year 1975 will be about \$95 million. Since commitments for program expansions were made very late, thereby substantially increasing the expenditure rate near the end of the fiscal year, the current authorized annual expenditure rate increased to about \$200 million.

But, we have Mr. Chairman, on the national level, 647,000 applicants. On the actual December participation—think about this—on the actual December participation we only had 266,062 mothers and babies being served, receiving food through the various health centers in all the States of the Union; not taking care of one-half of the applicants.

As I stated, 48 States, the Virgin Islands, Puerto Rico, are all participating in this program, and the estimated program areas of future projects are 322, and the total fiscal year 1975 funds obligated are \$122.4 million.

We started this program under section 32 funds. When the rule was granted and the bill brought to the floor, it was the opinion of many Members in the chamber that we should eliminate all the backdoor spending. I know the chairman of the House Committee on Appropriations discussed this with me, and we agreed to eliminate all the backdoor spending, section 32 funds, from this bill. That is the way this program was started.

Unless local applicant agencies are approved by the State department of health, they do not get any funds. This amendment provides the necessary funds to enable an eligible agency to carry out a program for all eligible persons whom such agency can demonstrate to the appropriate State agency a capacity to serve. Mr. Chairman, it is my judgment that this amendment should be adopted. I am of the opinion that this amendment will more nearly insure the funding of the program. That is the reason we offered this amendment, to try to get some assurance that there would be funding.

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

Mr. Chairman, I am a strong supporter of the WIC program, and even the amendment in the nature of a substitute offered by Mr. O'HARA continues to have the authorization of \$250 million. The substitute, however, would remove the backdoor spending. There is no way that we can mandate the Secretary of Agriculture to spend the funds until the Congress appropriates the money. We have the means, through the appropriations process, to provide the \$250 million.

The popular support of the WIC program, I think, indicates that when an appropriation bill comes before this body, if it does not carry \$250 million for the WIC program, it would be added on the floor. We have the new Budget and Impoundment Control Act, which makes certain that the money is expended. We have the court decision which mandated the Department of Agriculture to spend the money. So, they cannot get out of it.

Yet, the amendment says, and I quote:

"Immediately" these organizations that are running the WIC program—

Immediately shall be provided with the necessary funds to carry out the program for all eligible persons that such an applicant agency can demonstrate to the satisfaction of the Health Department or comparable agency of each State; Indian tribe, band, or group recognized by the Department of the Interior; or the Indian Health Service of the Department of Health, Education, and Welfare that it is capable of serving under the program.

There is no way one can mandate the Department of Agriculture to do that until the Congress appropriates the money. There is no way one can mandate the Department of Agriculture to make money available, funds available, that the Congress has not appropriated, if the request should be for more than \$250 million or any lesser amount appropriated.

Then it goes on to say that he cannot ratably reduce. That means if there is a lesser amount appropriated, then there is no way he can ratably reduce payments to all eligible applicants.

So it is inconsistent. It ties the Secretary's hands, and it gives the assumption of an authority that we cannot give.

We have deluded the people for years, authorizing money that we do not appropriate.

The advantage of the \$250 million in the WIC program is that I think we can appropriate the \$250 million. If somebody had offered a billion dollars because they thought it was good, I would say we would again be falsely promising. But that \$250 million I do not think is a false promise. The amendment that we have before us is a false promise, because we cannot assure that all applicants will be funded. So I urge my colleagues to vote this amendment down because we have the responsibility of deciding whether these programs are to be funded or not. We have it in our appropriations process. Once we appropriate that money, the Department of Agriculture must spend it, so that concern which I suppose the amendment is intended to address, is no longer valid.

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

Mr. QUIE. I yield to the distinguished gentleman from Texas.

Mr. MAHON. I thank the gentleman for yielding.

Does the gentleman from Minnesota (Mr. QUIE) say that this mandates the expenditure of money? In other words, is this in effect now an appropriation rather than backdoor spending through the Public Law 32 funds?

Mr. QUIE. I do not think it is, because I do not think that the language in here can mandate the spending, even though it says he must spend it; because if the language were true, it would be backdoor spending, I would think, because it says "and any eligible local health or welfare agency," and so forth, shall immediately be provided the funds once they demonstrate that they are capable of serving the program.

Mr. MAHON. Would the gentleman interpret that as an appropriation?

Mr. QUIE. I do not so interpret it, but it is very confusing language in a law

governed by a direct appropriation within a stated authorized amount.

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

Mr. QUIE. I yield to the gentleman.

Mr. PERKINS. It was not intended to be an appropriation. I will say to the distinguished gentleman.

Mr. QUIE. It could not mandate him to spend money that we had not appropriated.

I would say again that there is no way under the court decision and the Budget Impoundment Control Act that the Department can refuse to spend once we appropriate the money.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

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

Mr. MILLER of California. I thank the gentleman for yielding.

If it is the position of the gentleman that this is not an appropriation, that this language cannot create powers that come with an appropriation, then I think the gentleman has nothing to fear. It is very clear that this language is directed at the Secretary of Agriculture, who has shown such great hostility toward this program in the past, toward spending the money that this Congress has authorized in the past and appropriated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of California. I move to strike the requisite number of words.

Mr. Chairman, the language which is authorized in this amendment is there for the purpose, as I have just stated on the time of the gentleman from Minnesota (Mr. QUIE), to make sure that the money under this program is spent, so that the benefit this Congress has seen in this program is received by the recipients.

It is a program, if the Members will remember from the discussions that went on here some weeks ago, whereby pregnant women, infants, and young children are certified by health agencies of local governments that they are nutritionally high risk.

In that regard, that means that the woman, while she is pregnant, has a much greater chance of giving birth to a deformed child or that the child in its very infancy has much less chance to reach its full potential growth than a normal child.

The evidence in favor of this program and for the need of this program has been overwhelming, and I do not think that it is necessary that I go into it in detail, although I think one point has to be made very clearly. That is that we have established the causal chain between low incomes, poverty, low birthweight, inadequate diet, and mental retardation and physical deformities. I think that this is a program that on the cost-benefit basis, in terms of trying to prevent these deformities, in the light of the evidence, returns many, many dollars, tenfold to this Government in the fact that we now do not have to spend the astronomical amounts of money on cures, rehabilitative costs, and custodial costs.

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

Mr. MILLER of California. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, I thank the gentleman for yielding.

I rise in strong support of this amendment and commend the gentleman for his statement that if this does not appropriate money—and I agree that it does not—the gentleman from Minnesota really has nothing to fear.

I would like to ask the gentleman from California if he would not agree with me that the same kind of application is made to all of the other programs, or a very similar kind of application; in other words, an entitlement by individual. This is an entitlement by program. In all of the other programs under this bill we have entitlement by individual.

Why can we not provide entitlement for the programs which are existing and which it is very essential that we continue this program with?

Mr. MILLER of California. Mr. Chairman, I thank the gentleman for his remarks. I am inclined to agree with him.

In reference to what the distinguished gentleman from Minnesota (Mr. QUIE) has said, in the past, there is nothing more deluding to the people, in terms of appropriating money, than not making it available.

I suggest that that is what would be done by this Congress, given Secretary Butz' attitude toward this program where they had to get contempt citations against the Secretary to get the money released. They had to go to court twice in both fiscal years to get this program underway, especially in light of the fact that we are only serving 15 percent of the eligible population.

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

Mr. MILLER of California. I yield to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, let me ask the gentleman from California (Mr. MILLER) two questions.

What if one of the agencies should request the funds and demonstrates that it is capable of serving under the program, and we have not appropriated the money? What does the Secretary of Agriculture do then?

Mr. MILLER of California. To answer the gentleman, I think we have built a record here in the last few minutes that demonstrates that these funds are not to become available until they are appropriated by the Committee on Appropriations and by the Congress. I think that is the legislative history that we are building.

I also say to the gentleman that that is not the problem which this language seeks to remedy. The problem is that we have put ourselves, with all due deference to the committee, in a parliamentary position with respect to section 32 that I do not concede to be correct, but nevertheless exists.

Mr. QUIE. Mr. Chairman, could the gentleman answer my question, though. What does the Secretary do?

Mr. MILLER of California. He waits until the Committee on Appropriations appropriates the money.

Mr. QUIE. What if he has requested the funds and we have not appropriated enough money to take care of it?

Mr. MILLER of California. I am sure that he would feel very free to say that he cannot dispense the money until such time as it has been appropriated. I think that that is the record which we have created.

Mr. QUIE. But we say here that he shall provide the necessary funds.

Mr. MILLER of California. There has been no reluctance in the past by the Secretary of Agriculture not to dispense the money, even when the funds were available.

Mr. QUIE. The past is not involved. We are writing legislation here. It says that he shall immediately provide.

I want to know what he does when they have fulfilled all of the requirements, and we say in the law that he shall immediately provide. What does he do then?

The CHAIRMAN. The time of the gentleman from California (Mr. MILLER) has expired.

(On request of Mr. QUIE and by unanimous consent, Mr. MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. MILLER of California. Mr. Chairman, is the gentleman offering a corrective amendment?

Mr. QUIE. I would like to lay a basis for what the Secretary of Agriculture does.

Mr. MILLER of California. I think I have answered that question.

Mr. QUIE. What does he do if we do not provide funds?

Mr. MILLER of California. It is my contention that that question has been answered on the floor by the chairman of the committee in his response to the question of the gentleman from Texas (Mr. MAHON). It has also been answered in my response to the gentleman from Minnesota that the legislative history has been created. We have fulfilled our legislative obligations, and if the executive branch does not, these children and these women go without the program.

Mr. MILLER of California. This is not a program that can be interpreted willy-nilly.

Mr. QUIE. He could prorate the money, could he not?

Mr. MILLER of California. All right.

Mr. QUIE. Is that right?

Mr. MILLER of California. He could not readily reduce the allocation.

Mr. QUIE. Very well.

Mr. MILLER of California. This is a very important point. You are dealing with a health program, and you are dealing with basically a program where your entitlement to the program is a medical prescription. We are saying we can prevent these conditions.

Mr. QUIE. We have to get the procedure set up and then make the money available.

Mr. MILLER of California. The point is that we need sufficient funds to make the program work. If the Secretary was

to take it from \$21 a month and decide that there would be twice as many people served for \$11 a month, or \$10.50 a month, it may not have the same medical value. Just tell that to a woman who is a high risk that she will be getting only half of her needs.

Mr. QUIE. I am asking what the Secretary can do, and not for a speech about he could readily reduce.

Can the Secretary do it on a first-come, first-serve basis?

Mr. MILLER of California. He has to make the entitlement within the amount which is authorized and appropriated by this Congress. He has already extended it, and made new programs under the existing law without asking the Congress whether the money is going to be available. He is extending it today, 42 new programs in January.

Mr. QUIE. Let us suppose that the request totaled \$300 million, and we authorize approximately \$250 million. How does the Secretary handle it? Could he readily reduce those items on a first-come, first-serve basis?

Mr. MILLER of California. I would suggest that he could.

Mr. QUIE. The second question is—

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. QUIE, and by unanimous consent, Mr. MILLER of California was allowed to proceed for 1 additional minute.)

Mr. QUIE. If the gentleman will yield, the question is: What if the program does not have the medical components that presently are demanded by the Secretary, by the Department of Agriculture, because he will not approve, that approval will be turned over to another agency, and what if they do not provide or order adequate medical components? The gentleman from California has indicated many times himself the strong necessity for that part as well as the nutrition part.

Mr. MILLER of California. Mr. Chairman, I would say that I am not sure I have followed the gentleman's question.

Mr. QUIE. The question is, what if the program that is being approved, that is approved by an agency of the State, Indian tribe, band, or group, recognized by the Department of Interior or the Indian Health Service of the—and so forth, does not provide the medical component? For instance, we talk about the welfare agency, and it is very possible that this could be the case, that it does not provide for the medical component that is necessary, what can the Secretary do then? Because, do we not take the authority away from him to require the standards that are presently set?

Mr. MILLER of California. No, we do not do that. We do allow the Secretary to change the components of the program, and there has been evidence in the committee to show that there are some programs where perhaps the programs have too much milk, that perhaps the \$21 there should be allowed for the benefit of high protein soy formulas, and so forth, this would be allowed under this amendment.



The CHAIRMAN. The time of the gentleman has again expired.

(On request of Mr. QUIE, and by unanimous consent, Mr. MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. MILLER of California. They could readily reduce the program.

Mr. QUIE. I am not talking about readily reducing the program, I am talking about the standards that have to be set. The amendment says:

Can demonstrate to the satisfaction of the Health Department or comparable agency of each State—

which is using that, and there is not a sufficient medical component, but some new or other components presently demanded, any standard set by USDA set for that State, or by the State, what does the Secretary do about it?

Mr. MILLER of California. What does he do under existing law?

Mr. QUIE. He has the authority, he will not fund it unless they come up with the standard that they set.

Mr. MILLER of California. It would be my conclusion—let me say, I do not know the answer.

Mr. QUIE. I would say that is one of the difficulties in this amendment. Now we have standards that have been set. I recognize the Department of Agriculture did not agree with the way they should be set, and I do not agree with them any more than the gentleman does, but we have these two questions, the kind of program and, second, what happens if there is not enough money to meet the demands of the proponents?

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

Mr. MILLER of California. I yield to the gentleman from Washington.

Mr. MEEDS. I thank the gentleman for yielding.

I think we talked with counsel, and it is our opinion here that unless it had that medical component, it would not be approved by the State agencies.

Mr. QUIE. If the gentleman will yield, how do we know, when they have a number of them, and they have to be approved by not only the health department, but a comparable agency of each State, Indian tribe, band, or group recognized by the Department of Interior, or the Indian Health Service of the Department of Health, Education, and Welfare? We have no assurance they will meet the standards.

Mr. MEEDS. If the gentleman from California will yield further, the State must meet the standards which the Secretary prescribes, and if they do not, the program cannot be approved.

Mr. MILLER of California. I assume that the language is to be read—the State eligibility is to be read in light of the Federal requirements and USDA standards that exist elsewhere in the current law; also the fact that the program is limited to a very specific number of food products or substitutes that deal with the specific problems we have found through the medical portion of this program with a survey of the children, a survey of the women for the purpose of finding out what deficiencies they do suffer from.

Mr. QUIE. If the gentleman will yield further, this changes existing law, and that is what we ought to give our attention to. In fact, this changes the existing law and makes very difficult the administration of the program the way we in the Congress want it.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Kentucky (Mr. PERKINS) to the amendment in the nature of a substitute offered by the gentleman from Michigan (Mr. O'HARA).

The question was taken; and the Chairman announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. PERKINS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 238, noes 152, not voting 42, as follows:

[Roll No. 159]

#### AYES—238

Abzug	Evans, Colo.	Metcalfe
Adams	Fascell	Meyner
Adambo	Fisher	Mezvisinsky
Ambro	Fithian	Mikva
Anderson,	Flood	Miller, Calif.
Calif.	Florio	Mineta
Andrews, N.C.	Ford, Mich.	Minish
Annunzio	Ford, Tenn.	Mink
Aspin	Fountain	Mitchell, Md.
AuCoin	Fraser	Mitchell, N.Y.
Badillo	Fulton	Moakley
Baldus	Fuqua	Moffett
Barrett	Gaydos	Moorhead, Pa.
Baucus	Gibbons	Morgan
Beard, R.I.	Gilman	Mosher
Bedell	Ginn	Moss
Bennett	Green	Mottl
Bergland	Gude	Murphy, Ill.
Bevill	Guyer	Murphy, N.Y.
Blester	Hall	Murtha
Bingham	Hamilton	Natcher
Blanchard	Hanley	Neal
Blount	Hannaford	Nedzi
Boland	Harrington	Nix
Bolling	Harris	Nolan
Bonker	Hawkins	Nowak
Bowen	Hayes, Ind.	Oberstar
Breaux	Hays, Ohio	Obey
Breckinridge	Hechler, W. Va.	O'Hara
Brinkley	Heckler, Mass.	O'Neill
Brookhead	Hefner	Ottinger
Brooks	Heinz	Patman
Brown, Calif.	Helstoski	Patten
Burke, Calif.	Hicks	Patterson, Calif.
Burke, Mass.	Holland	Pattison, N.Y.
Burton, John L.	Holtzman	Pepper
Burton, Phillip	Horton	Perkins
Carney	Howe	Peyser
Carr	Hubbard	Pickle
Carter	Hughes	Pike
Chisholm	Hungate	Preyer
Clay	Jacobs	Price
Cleveland	Jenrette	Randall
Cohen	Johnson, Calif.	Rees
Collins, Ill.	Jones, Ala.	Reuss
Conte	Jordan	Richmond
Corman	Karth	Riegle
Cornell	Kastenmeier	Rinaldo
Cotter	Kazen	Risenhoover
D'Amours	Keys	Rodino
Daniels,	Koch	Roe
Dominick V.	Krebs	Roncalio
Davis	LaFalce	Rooney
de la Garza	Lehman	Rose
Delaney	Levitas	Rosenthal
Dent	Litton	Rostenkowski
Derrick	Lloyd, Calif.	Roush
Dingell	Long, La.	Roybal
Dodd	Long, Md.	Ryan
Downey	McCormack	St Germain
Drinan	McFall	Santini
Duncan, Ore.	McHugh	Sarbanes
Early	McKinney	Scheuer
Eckhardt	Macdonald	Schroeder
Edgar	Madden	Seiberling
Edwards, Calif.	Maguire	Sharp
Elberg	Mazzoli	Sikes
Emery	Meeds	Simon
Esch	Melcher	Sisk

Slack  
Solarz  
Spellman  
Staggers  
Stanton,  
James V.  
Stark  
Stephens  
Stokes  
Stratton  
Stuckey  
Studds

Thompson  
Thornton  
Traxler  
Tsongas  
Udall  
Ullman  
Van Deerlin  
Vander Veen  
Vigorito  
Waxman  
Weaver  
Whalen

White  
Wilson,  
Charles H.,  
Calif.  
Wirth  
Wolff  
Wright  
Yates  
Yatron  
Young, Tex.  
Zablocki  
Zeferetti

#### NOES—152

Abdnor  
Alexander  
Anderson, Ill.  
Andrews,  
N. Dak.  
Archer  
Armstrong  
Ashbrook  
Ashley  
Bafalis  
Bauman  
Beard, Tenn.  
Bell  
Brown, Ohio  
Broyhill  
Buchanan  
Burgener  
Burke, Fla.  
Burleson, Tex.  
Burlison, Mo.  
Butler  
Byron  
Casey  
Cederberg  
Clancy  
Clausen,  
Don H.  
Clawson, Del.  
Collins, Tex.  
Conable  
Coughlin  
Daniel, Dan  
Daniel, Robert  
W., Jr.  
Derwinski  
Devine  
Dickinson  
Downing  
Duncan, Tenn.  
du Pont  
Edwards, Ala.  
English  
Erlenborn  
Eshleman  
Evans, Ind.  
Fenwick  
Findley  
Fish  
Flowers  
Flynt  
Foley  
Forsythe  
Frenzel

Frey  
Gaimo  
Goldwater  
Goodling  
Gradison  
Grassley  
Hagedorn  
Haley  
Hammer-  
schmidt  
Hastings  
Hébert  
Henderson  
Hightower  
Hillis  
Hinshaw  
Holt  
Hutchinson  
Hyde  
Jarman  
Jeffords  
Johnson, Colo.  
Johnson, Pa.  
Jones, N.C.  
Jones, Okla.  
Jones, Tenn.  
Kasten  
Kelly  
Ketchum  
Kindness  
Lagomarsino  
Landrum  
Latta  
Lent  
Lloyd, Tenn.  
Lujan  
McClary  
McCloskey  
McCollister  
McDade  
McDonald  
McEwen  
McKay  
Madigan  
Mahon  
Mann  
Martin  
Mathis  
Michel  
Milford  
Miller, Ohio  
Montgomery  
Moore

Moorhead,  
Calif.  
Myers, Ind.  
Myers, Pa.  
Nichols  
O'Brien  
Passman  
Pressler  
Quie  
Quillen  
Regula  
Rhodes  
Roberts  
Robinson  
Rogers  
Roussetot  
Runnels  
Sarasin  
Satterfield  
Schneebeli  
Schulze  
Sebelius  
Shuster  
Skubitz  
Smith, Iowa  
Smith, Nebr.  
Snyder  
Spence  
Stanton,  
J. William  
Steed  
Steelman  
Steiger, Ariz.  
Symms  
Talcott  
Taylor, Mo.  
Taylor, N.C.  
Teague  
Thone  
Treen  
Vander Jagt  
Waggonner  
Walsh  
Wampler  
Whitehurst  
Whitten  
Wiggins  
Wilson, Bob  
Winn  
Wylder  
Wylie  
Young, Alaska

#### NOT VOTING—42

Biaggi  
Boggs  
Brademas  
Broomfield  
Brown, Mich.  
Chappell  
Cochran  
Conlan  
Conyers  
Crane  
Danielson  
Dellums  
Diggs  
Evins, Tenn.  
Gonzalez

Hansen  
Harkin  
Harsha  
Howard  
Ichord  
Kemp  
Krueger  
Leggett  
Lott  
Matsunaga  
Mills  
Mollohan  
Poage  
Pritchard  
Rallsback

So the amendment to the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PERKINS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. O'HARA

Mr. PERKINS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. PERKINS to the amendment in the nature of a substitute offered by Mr. O'HARA: Page 7, line 17, strike

out "the following new paragraph:" and insert in lieu thereof "the following: 'Beginning with the fiscal year ending June 30, 1976, the income guidelines prescribed by each State educational agency for reduced price lunches for schools in that State under the fifth sentence of this paragraph shall be 100 per centum above the applicable family size income levels in the income poverty guideline prescribed by the Secretary, and any child who is a member of a household, if that household has an annual income which falls between (A) the applicable family size income level of the income guideline for free lunches prescribed by the State educational agency in accordance with the third and fourth sentences of this paragraph and (B) 100 per centum above the applicable family size income levels in the income poverty guideline prescribed by the Secretary, shall be served a reduced price lunch at a price not to exceed 20 cents.'"

Mr. PERKINS. Mr. Chairman, this amendment corrects the deficiency in the Chisholm amendment, which mandates the serving of reduced-price lunches to children from families with incomes which are 100 percent above the poverty guidelines. Without this amendment, what we agreed to in the Chisholm amendment would be frustrated because of an error which would allow States to set eligibility below the 100-percent figure.

This amendment would carry out the original intent of the Chisholm amendment by requiring the States to set the eligibility level at 100 percent.

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

Mr. PERKINS. I yield to the distinguished gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. I thank the gentleman for yielding.

I would say that since the Chisholm amendment mandated the provision of reduced-cost lunches to all students who are eligible, undoubtedly the States would move to the 100-percent figure. I think this is a good amendment to make certain that all students are treated equitably throughout the Nation, and I support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky (Mr. PERKINS) to the amendment in the nature of a substitute offered by the gentleman from Michigan (Mr. O'HARA).

The amendment to the amendment in the nature of a substitute was agreed to.

AMENDMENT OFFERED BY MRS. KEYS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. O'HARA

Mrs. KEYS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mrs. KEYS to the amendment in the nature of a substitute offered by Mr. O'HARA: On page 23, line 1, insert immediately after "commodities" the following: "or upon the application of a State education agency, cash in lieu of commodities in such amounts as may be provided in appropriations Act."

Mrs. KEYS. Mr. Chairman, I rise to offer a technical amendment to the day care section of this bill. Section 16 of the O'Hara substitute contains an excellent

amendment offered in the Education and Labor Committee by Mrs. CHISHOLM and adopted by the committee. This amendment greatly strengthens the day care food program by providing that day care and Head Start programs receive the same level of Federal assistance that schools receive in the school lunch program, and may I add that there are few things more important for us to be doing than feeding a hungry child. As one part of this section, the bill provides that day care programs receive 10 cents per lunch in commodities, just as schools participating in the school lunch program do.

The problem here is that the bill provides no opportunity for day care centers to receive cash in lieu of commodities as well as commodities. In my State of Kansas, we no longer have any commodity distribution program, and our schools receive 10 cents in cash rather than in commodities. This approach has worked very well and to the benefit of school children. This cash has been spent to purchase a better variety of nutritional food. This approach has allowed more flexibility and has resulted in less administrative costs. Just as our schools receive cash instead of commodities, so will, too, our day care centers need to receive cash instead of commodities.

Moreover, some day care centers in other States may have difficulty in getting to railyards or warehouses to pick up their commodities and may have no freezer space in which to store commodities. In this respect, small day care centers serving 10 or 20 children are far different from entire school districts, who generally are able to pick up, transport, and store commodities.

My technical amendment allows States to elect to receive in cash the equivalent to some or all of the commodities for which they would be eligible in their child care centers, provided that this cash has been made available through the appropriations committee. If the cash has not been appropriated, then the required commodity donation rate for such States would have to be met entirely through the providing of commodities.

The purpose of this amendment is to require the Department of Agriculture to meet the State's preference—whether that be commodities or cash. Adoption of this amendment will provide States with the necessary flexibility to best meet the needs of their child care programs.

It is important to point out that my amendment does not add additional costs to this bill. In fact, it may actually save some money because it allows the States and the Federal Government to provide cash instead of commodities in situations where the logistics and expense of getting commodities to individual day care centers would be difficult. I think the amendment therefore enhances the overall purpose of this section of the bill.

Mr. PERKINS. Mr. Chairman, will the distinguished gentleman yield to me?

Mrs. KEYS. I yield to the distinguished gentleman.

Mr. PERKINS. The amendment, in my judgment, is a good amendment, and we on this side of the aisle accept the amendment. It merely permits the day care centers to accept cash in lieu of

commodities for the meals served. This is quite different from the school lunch program because of the inadequacy of the facilities in the day care centers.

I thank the gentleman for offering a good amendment and I wish to compliment her.

Mrs. KEYS. I thank the gentleman.

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

Mrs. KEYS. I yield to the distinguished gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, this is just exactly what we did 2 years ago, providing that cash could be used in place of commodities. It gives flexibility to the Secretary of Agriculture if commodities are not available. I think it is an excellent provision. I will be glad to support it.

Mrs. KEYS. I thank the gentleman.

Mr. Chairman, I urge the passage of the amendment and the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mrs. KEYS) to the amendment in the nature of a substitute offered by the gentleman from Michigan (Mr. O'HARA).

The amendment to the amendment in the nature of a substitute was agreed to.

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

(By unanimous consent, Mr. KELLY was allowed to speak out of order.)

TRIBUTE TO MISS NATIONAL TEENAGER

Mr. KELLY. Mr. Chairman, the Fifth District of Florida is the largest congressional district in the United States.

This district and Florida are honored because Miss Lisa Lyon of New Port Richey, Fla., one of our young ladies, has been chosen Miss National Teenager.

Miss Lisa Lyon represents what is right about American young people and is an intelligent, involved young lady.

This beautiful young woman is in Washington today and honors our Nation's Capitol by her presence.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Michigan (Mr. O'HARA), as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

Mr. MOORHEAD of Pennsylvania. Mr. Chairman, I rise in support of the Perkins amendment to H.R. 4222. I want to address my remarks to the special supplemental food program for women, infants, and children or WIC.

First authorized in 1972, WIC is a supplementary feeding program available to pregnant women, infants, and children up to age 4 who are considered by physicians to be potential medical problems because of "inadequate nutrition and inadequate incomes."

The program is preventive in concept and medical in nature.

By providing highly nutritious foods to pregnant women, nursing mothers, and infants and young children, the WIC program attempts to stop serious health problems before they start.

Eligible mothers receive food vouchers which are traded for eggs, milk, cheese, high protein cereals, and infant formulas.



Allegheny County, in which my district is located, has a WIC program, one of the first in the Nation.

Each month, approximately 6,000 county residents, many from the Pittsburgh area, get food assistance and health care under the program.

Dorothy Kolodner, chief of nutritional services for the Allegheny County Health Department estimates that an additional 6,000 people in the county would also qualify if staff capacity would allow for their identification.

During the congressional Easter recess, I visited two WIC centers on my district and spoke with dozens of WIC clients. In addition, I have received hundreds of letters in my office in support of this innovative food program.

I can attest to it being one of the most successful ventures in preventative care and proper diet maintenance that I have observed in my 16 years in the Congress.

For these reasons, I urge my colleagues to promptly approve the Perkins amendment and to vote "yea" on final passage of H.R. 4222.

Mr. HAWKINS. Mr. Chairman, the bill now being debated is one that I strongly support. Although the bill has many fine features in it, and although the bills deals with all of the child feeding programs, I would like to devote my comments to the school breakfast program legislation in the bill. That part of the bill is of greatest importance to poor children.

Our committee's bill, and the O'Hara substitute which incorporates the committee's language, takes the school breakfast program from its temporary status to a permanent program. Moreover, we clearly express our purpose and intent "that the school breakfast program be made available in all schools where it is needed to provide adequate nutrition for children in attendance." Through this expression of purpose and intent, we mandate the Secretary to require the immediate expansion of the breakfast program to all schools in needy areas throughout the country.

To accomplish the fulfillment of congressional purposes, in this regard, we direct the Agriculture Secretary—in cooperation with State educational agencies—to conduct "a program of information." Also, the Secretary is required to formulate plans and regulations to bring about the needed expansion of the school breakfast program. Within 90 days from the passage of this legislation, the Secretary shall report to the Education and Labor Committee of the House and the Agriculture and Forestry Committee in the Senate about his plans and regulations.

In devising his regulations, we expect USDA to give highest priority to schools located in the neediest areas. Those schools—which are eligible for title I assistance under the Elementary and Secondary Education Act, or which have more than a quarter of their children eligible for free and reduced price lunches—must implement the program immediately. We expect the Secretary to mandate the establishment of the program in these impoverished-area schools so that our purposes and intentions are

fulfilled and needy children are properly fed.

The need for this bill is obvious. Current statutory provisions for the expansion of the breakfast program have been ineffective. Under the law, State educational agencies—as a condition for receiving Federal child feeding aid—are required to devise child nutrition program plans of operations. For the breakfast program, those plans must specifically demonstrate how the program will be expanded to reach needy children to the maximum extent practicable. Such plans should specify which schools will come into the breakfast program and when such implementation will be accomplished. Thereafter, the State educational agency must foster and require thorough compliance with the plans.

Despite the clarity of the law, it apparently has not worked. Less than 13 percent of the public schools in our country currently participate in the breakfast program. Therefore, it is necessary that we now mandate the implementation of the breakfast program in all needy schools. I am confident that our school breakfast program legislation adequately improves the program by requiring program expansion, and, as a result, I strongly support the bill.

Mr. ALEXANDER. Mr. Chairman, I rise in support of H.R. 4222, the School Lunch Act and Child Nutrition Act amendments. The school lunch program is one of the cornerstones of our modern educational system. Our commitment to provide a well-balanced meal for every school child is one which this Government can ill afford to neglect.

H.R. 4222 includes provisions to make permanent the school breakfast program under the Child Nutrition Act, makes children of unemployed parents automatically eligible for free meals under the National School Lunch Act, makes licensed day care centers, Head Start centers, and other child care institutions eligible for school lunch funds, extends the school lunch program for summer camps for children from poor economic areas, makes children from families with up to 100 percent higher incomes than the poverty level eligible for reduced-price lunches, extends the nutrition program for low-income pregnant women and infants, directs the Secretary of Agriculture to purchase commodities at market prices and requires that at least 75 percent of Federal commodity assistance to school lunches be food donations.

It is obvious that we are going to have to make substantial reductions in our level of Federal spending if we are to put our economic house back in order. But I do not believe that we can make these cuts discriminately. There are certain areas where our country cannot afford to scrimp. The school lunch program is one such area.

I urge my colleagues to support this bill which, in my estimation, is as fundamental and integral a part of our educational process as the alphabet.

Mr. EDWARDS of California. Mr. Chairman, I rise to urge the support of my colleagues for the free and reduced-price school lunch provisions of the Na-

tional School Lunch and Child Nutrition Act.

The purpose of the reduced-price lunch is to improve the nutritional status of the school age children of this country. We are all aware of the relationship between a healthy diet and the proper physical and mental development of a child. However, we must also be mindful of the recession-bred pressures which are forcing even middle-class families to cut back on their food budgets. In many homes less nutritional meals are being served, and there is less money available for a child to buy a proper lunch at school. The result is that many children from poor and middle-class families are not receiving proper nourishment.

This situation is exacerbated by the fact that the cost of preparing a school lunch has risen over the last 28 years from 30.4 cents to 84.5 cents. Yet during the same period the Federal share of this cost has dropped from 31 to 21 percent. As a result of this increased cost 1 million children dropped out of the program during last year alone.

An additional problem is that as participation in the programs declines, economies of scale will allow fewer and fewer schools to afford school lunch programs at all. On the other hand, if Congress provides an inexpensive, nutritious lunch, the number of students participating will increase, costs of preparation will be reduced and as many as 50,000 new jobs will be created.

This is not a program to subsidize the children of the rich. The great majority of children purchasing school lunches come from families with annual incomes of \$10,000 to \$15,000. As a result, this program serves as a form of tax relief for that portion of the population which has traditionally borne the heaviest tax burden in this country.

The continuing need for this program is clearly illustrated in my own Congressional district where everyday more than 38,000 schoolchildren are nourished by a free or reduced-price lunch.

There can be no doubt that our young people are the most valuable resource we have in the United States. Their health and nutrition should be of paramount importance to us all. I ask you to consider these thoughts when voting on the reduced-price provision of the National School Lunch Act.

Mr. ZEFERETI. Mr. Chairman, I rise in favor of the O'Hara substitute to H.R. 4222. This bill will be immensely useful to needy children throughout the country. Significant advances are made, through this legislation, in the day care, summer feeding, school lunch, and school breakfast programs. As a result, these programs will become much more responsive to the needs of poor children.

One provision of this bill can be rather significant for our Nation's needy schoolchildren and it deserves our special attention. That provision is likely to cause a very substantial expansion of the school breakfast program. It improves the current status of the school breakfast legislation under the National School Lunch and Child Nutrition Acts.

Under the current law—section 1759a (e) (1) of the School Lunch Act—each State educational agency is supposed to develop an annual State plan of child feeding operations that is supposed to detail how the State will reach needy children with the breakfast program. Such a plan must document the intended expansion of the program so that, "to the maximum extent practicable," the program will "reach needy children." Under the Department of Agriculture's regulations pursuant to that statute, this plan should set forth specific plans that will assure the provision of the breakfast program in schools with numerous "children in need of such benefits." Consequently, under the statute and regulations, such State plans must be submitted to USDA and the States must comply with those plans. Compliance with the requirements are "a prerequisite to receipt of Federal funds" under the School Lunch and Child Nutrition Acts.

The bill now before us, with the school breakfast provision we drafted in committee, will substantially expand these requirements. First, the Secretary of Agriculture is required to conduct an ongoing informational campaign, together with the State educational agencies, that will cause the expansion of the breakfast program. Second, the new bill makes it clear that the school breakfast program must be made available "in all schools where it is needed to provide adequate nutrition for children in attendance" therein. And finally, the Secretary is required to report to the appropriate committees of Congress what he, together with the State agencies, will do to enforce our intentions that the school breakfast program be made available in all schools where it is needed.

These requirements are not to be taken lightly. We expect the Agriculture Secretary to promulgate regulations that will effectuate our intentions. Such regulations, at a minimum, should require the implementation of the breakfast program in schools that have a sizable number of needy children—schools designated as eligible for title I assistance—under the Elementary and Secondary Education Act—or schools that provide free and reduced-price meals to more than one-quarter of the children in attendance therein. Those schools should be required to implement the breakfast program, and the Department, together with the State educational agencies, should cooperate in efforts to enforce that requirement.

The time for rhetoric and exhortation is over. We now want and mandate specific action on the school breakfast program, and the Agriculture Secretary is now directed to devise regulations that will require the implementation of the breakfast program "in all schools where it is needed to provide adequate nutrition for children in attendance." As a result of these regulations, we expect that the breakfast program will be established in all the poverty area schools in the country, thus fostering better nutrition and education for the youngsters of our Nation. Consequently, I urge everyone to support this bill.

Mrs. BURKE of California. Mr. Chairman, hunger and malnutrition in

America is an unfortunate reality that stands in dark contrast to the prosperity and affluence that accompany the popular image of this country as a land of plenty. The importance of an adequate diet cannot be minimized. The link between an adequate nutrition and a child's ability to learn and grow has been well established.

The National School Lunch and Child Nutrition Acts amendments are an important continuation of a national effort and commitment to the goal of assuring that every child has at least one nutritious meal during the course of the day.

The Congress showed wisdom in initiating the school lunch program. It has demonstrated greater wisdom in extending this legislation to include the school breakfast program, the supplemental food program, the women, infants, and children—WIC—food program, and the special milk and nonschool food service programs.

In California more than 5,600 schools participate in the school lunch program—1,464, or 26 percent of these participating schools are in Los Angeles County alone. I am pleased to note that this means almost every school in Los Angeles County is taking part in the school lunch program.

I am distressed by the statistics cited in the committee report that in the 5 years since 1970, the total number of students purchasing lunches daily has declined from 18 million to 15.3 million, a decrease of 1.7 million children. This downward trend in participation by paying students is also evident in Los Angeles County, where the average daily participation—ADP—is 450,560 lunches served, while the average daily attendance—as of October 1974—was approximately 1,126,600. Of the 450,560 ADP, 270,349 are free or reduced-price meals.

I wholeheartedly approve of the expanded eligibility provisions for free and reduced-price meals, which will have the effect of including those children of families who are hard-hit by our economic difficulties. Projections by the California Food and Nutrition Services estimate there would be an increase of close to 10 percent of free or reduced-price meals in California.

Free and reduced-price meals should be and must be made available to those in need. At the same time, I do not believe that we should abandon need as the test for eligibility. The improvement and expansion of the School Lunch and Child Nutrition Acts are indeed worthwhile objects, they must not be used as a backdoor method of funding the nutrition for families who can afford to pay at the expense of those who cannot.

Mr. MIKVA. Mr. Chairman, the school lunch program has been a great success since its inception. It stands as an example of what government can do and should do to meet the health and nutritional priority needs of this country.

The bill which we are considering, amending the National School Lunch and Child Nutrition Acts, extends and revises the special food service program for children and the school breakfast program. It expands eligibility for reduced-price lunches, creates a permanent child care food program, makes automatical-

ly eligible for free meals the children of unemployed parents, and expands the special supplemental feeding program for women, infants and children—the so-called WIC program.

It is because I support the program and the pending bill that I joined a bipartisan majority of the House in approving the Goodling amendment, when this bill was originally considered on March 25, and why I am today supporting the Perkins amendment, which will provide for a supplemental 5-cent payment on all lunches served in fiscal year 1976 other than free or reduced-price lunches.

Mr. Chairman, the school lunch program has been a success because it has targeted help to the children who need help. Without the Goodling amendment, adopted by the House on March 25, the proposal before the House would have spewed assistance to all children whether they needed it or not. That distorted "fair play" notion robs us of precious resources that are needed to solve the many pressing domestic problems we have. It also robs us of the credibility that Congress—and indeed government as a whole—needs to set the priorities of this country and undermines the role government should play in meeting those priorities.

We go into this next fiscal year with an ominous deficit hanging over our collective heads. It is a deficit in large part caused by inadequate tax and economic policies of the past. No matter how we cut the budget, we cannot avoid a deficit of huge proportions. The fact that we cannot void it makes it all the more essential that every Government expenditure in this period of crisis be one aimed squarely at solving a priority need of the country. The school lunch program is such a priority need, and I intend to vote for the bill on final passage. However, a school lunch program which provides free or near free lunches for kids of all income brackets, rich and poor, whether they need help or not, is not such a priority need. Indeed, it mocks the word priority.

The Perkins amendment, which provides a 5-cent supplemental payment for each lunch served to a paying student during only fiscal year 1976, on the other hand, is a well-designed and targeted approach to a particular problem, that of increasing school lunch costs. It will not subsidize in a helter-skelter fashion the children of the wealthy. It will, to the contrary, prevent further erosion of the entire school lunch program, both for paying students and those from low-income families.

The task is to compassionately assist those in need while responsibly rejecting propositions that would take deficit dollars from more urgent programs. By accepting both the Goodling and the Perkins amendments to the National School Lunch Act, Congress will be moving in that direction.

Mr. DOMINICK V. DANIELS. Mr. Chairman, I rise in support of the amendment to the amendment in the nature of a substitute offered by Mr. O'HARA. This amendment will provide for a supplemental 5-cent payment on all lunches served to paying students in fiscal year 1976.



Mr. Chairman, this amendment addresses the vital need for positive action to bolster the regular school lunch program catering to paying students.

Over the last few years, there has been a marked decline in the number of paying students participating in the school lunch program. In the 5 years since 1970, the number of children purchasing lunches daily has declined from 18 million to 15.3 million, a drop of 2.7 million children. This decline has occurred despite the fact that since 1970 nearly 4,000 schools with an enrollment of 2.3 million children have entered the program.

This decline in participation is indicative of the difficulty that has been encountered by middle-income parents in absorbing regular price increases of school lunches. These price increases, in turn, are reflective of the higher cost of producing nutritionally balanced lunches because of sharply higher food and labor costs as well as costs of other items, such as utilities, transportation, and supplies used in preparing and serving lunches. Since 1967, the cost of producing lunches has increased by nearly 70 percent. In the past year alone, the increase has been well over 12 percent.

At the same time, the Federal share of lunch cost for paying children has declined, even though expenditures have increased. By way of example, when the program was initiated in 1947, the Federal Government spent \$68 million in cash and commodity assistance to support the program. At that time, the total cost of the lunch was approximately 3 cents, and the Federal Government share of lunch cost for paying children was 31 percent. In 1974, even though \$1.4 billion was expended, the Federal share dropped to 21 percent of the lunch cost for paying children because the total cost of preparing a lunch had risen to 84.5 cents.

The price increases that have not been offset by Government subsidies have been passed directly on paying children. Because of the economic conditions in the country, more and more parents are having increasing difficulty in keeping up with price increases for school lunches for their children.

More and more paying children are dropping out of the program. These children constitute the backbone of the program—when they drop out, the entire program is jeopardized—including the reduced and free lunch provisions for needy children.

Mr. Chairman, the committee amendment to provide a temporary 5 cent payment on all lunches served will help to keep paying children in the program.

This amendment represents a reasonable compromise in both scope and price. The committee anticipates that the amendment will cost \$125,000,000. This represents a significant reduction from the cost estimates associated with the previous proposals to place ceilings on the price charged to paying students. The ceiling provisions would have cost between \$600,000,000 and \$1,000,000,000.

Mr. Chairman, I believe the effect of this amendment will be to encourage local school districts to hold the line on school lunch prices for paying students. It is common knowledge that without

this kind of help, the school districts will have no choice but to increase lunch prices in September. If this happens, even more children will drop out of the regular program.

Mr. Chairman, I urge my colleagues to consider the needs of the middle-income parent in these troubled economic times. I also ask my colleagues to consider the nutritional needs of America's schoolchildren—needs that should not be sacrificed in some misplaced concern about costs. I have long maintained that the needs of the American people should be our first consideration. These needs include the reasonable assurance that our children will receive adequate nutrition.

Mr. Chairman, the amendment we are considering will help insure that these nutritional needs are met for millions of American schoolchildren. It is an amendment that reflects both a concern for maintaining the viability of the regular school lunch program and a concern about keeping the costs of the program within reasonable limits.

Mr. Chairman, I hope my colleagues will support this amendment, and will lend their full support to the passage of the bill.

Mr. HEINZ. Mr. Chairman, I rise today in support of the special supplemental food program for women, infants, and children, known simply as WIC.

Mr. Chairman, Samuel Johnson said that the mark of a civilized society is its provision for the poor. This is particularly valid when the poor are children totally innocent of their circumstances and totally helpless to change those circumstances. The WIC program tries to assure that despite other disadvantages, these children will grow up with their health unimpaired. First, by providing pregnant women with nutritional food, WIC has helped prevent the dangerously low weights at which infants from poor families are often born. Second, by providing these same infants with nutritional food, the programs protect children from sickness while they are most vulnerable. The administration, which supports most of the other provisions of H.R. 4222, opposes continuation of WIC. Yet, if we support the school lunch program, which protects the health of children once they begin their education, should we not consider WIC a program which helps insure that they begin this education at all, equally, if not more important?

WIC has also been that rarity in Government—an efficient program. With just \$200 million, the program has established more than 1,500 individual clinic sites and enrolled 187,500 women, 178,000 infants, and 282,000 children for a total of 648,300 participants. Even in the face of such a large Federal deficit, we must not eliminate programs, like WIC, that are both necessary and efficient.

I am particularly proud to have a WIC program in my home area Allegheny County. This program, started in May of 1974, already has reached over 7,000 residents and now has the largest enrollment in Pennsylvania. Communications received from more than 30 participants attest both to the benefits they received and the support WIC deserves.

Mr. Chairman, so much time is spent in the rapid exaltation of Government programs that the ear tends to discount it. But there are programs, such as WIC in Allegheny, that by efficiently helping those who cannot help themselves bind a community together and remind us of the delights of reasoned democracy.

Mrs. CHISHOLM. Mr. Chairman, I rise in support of the bill H.R. 4222, the School Lunch and Child Nutrition Amendments of 1975.

Although I spoke earlier in opposition to one amendment to this bill, I want to go on record as supporting a piece of legislation that contains many extremely worthwhile provisions. Children's residential institutions are now included in the school lunch program. The children of the unemployed are now eligible for free lunches and breakfasts. The reduced price lunch program has been mandated in all schools participating in the lunch program, extending the 20-cent lunch to children in families with incomes between \$6250 and \$10,050 per year for a family of four.

Day care centers, family day care homes, and Head Start Centers are allowed into the program upon request, and their reimbursement rates are double that under current law. The amendments giving the WIC program entitlement status, along with a higher authorization of \$250 million for 3 years also have my enthusiastic support.

The advances made in all these programs and in some of the others are of great importance, for as I have said many times before, I am convinced that good nutrition is one of the most effective ways of preventing the problems of poor health that cause suffering among so many Americans living in poverty, and as a result, lead to large expenses in the areas of health care and welfare programs for these people.

Another part of the bill deserves substantial attention. That part relates to the operation of the school breakfast program—a program of critical concern for youngsters who often are too hungry to learn. Currently, only about 13 percent of the schools in our Nation provide federally subsidized morning meals. Yet, from our experiences in those schools, we have found out that the breakfast program is of extraordinary usefulness in the development of decent educational opportunities for needy youngsters.

In schools where the breakfast program is operational, attendance rates have increased. In those schools, tardiness has decreased and discipline problems have diminished. Most importantly, however, impoverished children receiving school breakfasts have become far more alert and have increased their attention spans. Clearly, the implementation of the breakfast program in needy communities throughout our country is of vital concern to the educational advancement of many impoverished schoolchildren.

The school breakfast program provision that we drafted in committee, contained in the O'Hara substitute bill now before us, directs its mandate toward the expansion of the program. As a matter of clear and unmistakable policy, we state that "it is the purpose and intent

of the Congress that the school breakfast program be made available in all schools where it is needed to provide adequate nutrition for children in attendance." To implement this unequivocal policy, the Secretary, in cooperation with State educational agencies, must carry out an informational effort to promote the specified congressional objectives. In addition, he must devise plans and regulations to require the expansion of the school breakfast program.

With regard to the Secretary's obligations to devise plans for the expansion of the breakfast program, we expect him to target in on the schools that are located in impoverished neighborhoods. Those schools are the ones that are eligible for Federal assistance under title I of the Elementary and Secondary Education Act. Those schools are the ones that currently have large numbers of children eligible for free and reduced-price lunches. As a result, the Secretary's regulations, at an absolute minimum, must require the implementation of the breakfast program in all title I schools and in all schools in which more than one quarter of the children are eligible for free and reduced-price lunches.

In order that the Secretary's plans and regulations give substance and meaning to the policy we articulate in this bill, his regulations must require and mandate program expansion in needy schools, not just encourage it. The time for rhetoric about program expansion is over now. Our committee wants specific and unequivocal steps to be taken by the Secretary, and the State educational agencies, to require the implementation of the breakfast program in all needy schools. This mandate substantially increases our previous commitments for breakfast program expansion—commitments that required State agencies to devise child nutrition operation plans, and then implement such plans—as a precondition for the receipt of child nutrition funds—to make sure that needy children were reached with the breakfast program "to the maximum extent practicable."

In sum, under this bill, it is our expectation that the Secretary will mandate the breakfast program's expansion to all needy schools. This step is important, and indeed vital, to the improved health and educational opportunities of impoverished children throughout the country. I hope this fine bill passes.

Mrs. HOLT. Mr. Chairman, another example of congressional irresponsibility is on display in H.R. 4222 as amended. It increases the authorization for the school lunch program by 50 percent for the 1976 fiscal year by offering higher subsidies for every student, even those who can afford to pay for their lunches.

This legislation will allow the school lunch program to increase from \$2 to \$3 billion in a single year. Not content with helping the truly needy, the architects of this legislation are interested in swelling food subsidies for every family.

Will we never learn that Government can give nothing to the people that it does not take from the people? The people are already carrying a terrible burden of taxation and inflation that will be made worse by this kind of irresponsibility.

The school lunch program, originally intended to help children who would otherwise go hungry, has become a massive giveaway in three phases. First comes the subsidized lunch for every student. Next is the reduced price lunch which is subsidized at a higher rate. Then comes the fully subsidized free lunch for the impoverished children.

What we have here is a mania for extending charity to everybody, and everybody will be forced to pay an inflated price for it. The food stamp program is another example of this philosophy at work. The rules of eligibility are so loose that nobody really knows how many millions of people will get the subsidy.

Meanwhile, the Federal budget deficit pushes toward the \$80 billion mark, promising future grief for everybody. Government borrowing on so vast a scale will drain away the capital needed for private industry to expand and provide jobs. The huge deficit will cause more inflation.

Mr. OTTINGER. Mr. Chairman, it has been nearly 30 years since the Federal Government first began to participate in providing food services to children in the schools through the school lunch program. In that period of time Federal expenditures for this program have grown from less than \$100 million to over \$1.4 billion per year.

In 1947, when school lunches first began to be served with aid from the Federal Government, our subsidy covered about 31 percent of the cost of preparing and serving a lunch for any participating child. Today, with increased costs for preparation and the failure of the subsidy to keep pace with these increased costs, the Federal Government is contributing only about 21 percent of overall costs of meals for paying children. In recent years, however, this reduction in the percentage of Federal subsidy has been at least partially offset by the addition of special assistance for needy students.

In 1966, the Congress first appropriated money to allow for free and reduced-price meals to students from low income families. That same year the 89th Congress, in which I was privileged to serve, also created the school breakfast program, expanded the special milk and non-food assistance programs and established a special feeding program for preschool children to operate in the schools.

Mr. Chairman, the feeding programs which operate under authority of the legislation we passed earlier this week are vitally important to our effort to insure that every American receives an adequate diet. In my own congressional district the preschool feeding program has been especially successful in aiding families with eligible children. I also fully support the plan to provide a special entitlement for the special supplemental feeding program for women, infants and children under which the State health agency will have the authority to determine the eligibility of clinics desiring to participate. It is my own belief that removing this authority from the Department of Agriculture, which has a long and well-known history of neglect of low-income people, can only serve to make it more effective.

We have now acted to expand these programs still further by making school breakfast a permanent program and by making children in families where the principal wage-earner has become unemployed due to the current recession eligible for free lunches during a 1-year period. We have also reduced the cost of school lunches to children in families of four members with incomes of up to \$10,000 per year. Licensed day care and Head Start centers will become eligible for school lunch funds, and both breakfast and lunch programs will be provided for children in orphanages and other similar residential facilities. Since summer vacation often means to the children of the poor a temporary end to an adequate diet until school reopens in the fall, we have expanded and improved the summer feeding program.

I doubt if there is anyone in this Chamber who would argue against our effort to provide an adequate diet for Americans during their most important stages of development, when they are struggling to become productive citizens. The amendments which I have been privileged to support are particularly significant in view of the fact that they make so many extra provisions for those who have the least ability to provide proper nutrition for their children, and they are most reflective of our already established goal of Federal assistance to those who have the greatest need. I take great pride in supporting such a philosophy.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment, in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. O'NEILL) having assumed the Chair, Mr. EVANS of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4222) to amend the National School Lunch and Child Nutrition Acts in order to extend and revise the special food service program for children and the school breakfast program, and for other purposes related to strengthening the school lunch and child nutrition programs, pursuant to House Resolution 352, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

POINT OF ORDER

Mr. BAUMAN. Mr. Speaker, I make a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BAUMAN. Mr. Speaker, I make a point of order against further consideration of the bill on the ground that the



amendment offered by the gentleman from Kentucky (Mr. PERKINS) on page 17, line 7, constitutes an appropriation in a legislative authorization bill in that it gives to the Secretary of Agriculture the duty of providing all necessary funds to carry out and maintain certain other programs to be used as sources of these funds, but leaves to his discretion the other programs that might possibly be used as sources for these funds and, therefore, constitutes an appropriation of moneys in a legislative authorization bill.

Therefore, Mr. Speaker, I make a point of order against the bill.

The SPEAKER pro tempore. Does the gentleman from Kentucky (Mr. PERKINS) desire to be heard on the point of order?

Mr. PERKINS. Mr. Speaker, I desire to be heard on the point of order.

Mr. Speaker, the point of order made by the gentleman from Maryland (Mr. BAUMAN), comes too late, would be my first point. But, Mr. Speaker, on the merits of the bill, the point of order is not well taken because, on page 22 of the amendment in the nature of a substitute offered by the gentleman from Michigan (Mr. O'HARA) we find this language:

(b) In order to carry out the program provided for under subsection (a) of this section during each of the fiscal years ending June 30, 1976, September 30, 1977, and September 30, 1978, there is authorized to be appropriated the sum of \$250,000,000 for each such fiscal year.

So that the authorization is plain, and the only thing we do is to mandate some regulations to the effect if the money is appropriated that the Secretary may be required to spend the money.

Mr. BAUMAN. Mr. Speaker, may I be heard further on the point of order?

The SPEAKER pro tempore. The gentleman from Maryland will proceed.

Mr. BAUMAN. Mr. Speaker, under the rules of the House, specifically, this point of order lies at any time, and it does not come too late. The rules of the House provide that it may be made at any time prior to the final consideration of the bill.

In this respect, Mr. Speaker, I refer the Chair to the question that was ruled on last week on either Wednesday or Thursday in regard to the Vietnamese war.

The SPEAKER pro tempore. The Chair will state that the point of order raised by the gentleman from Maryland (Mr. BAUMAN) comes at a time when the amendment is not being considered, and cannot be directed against consideration of the bill itself. In view of the fact that the gentleman from Maryland did not raise his point of order at the time of the consideration of the amendment the Chair holds that the point of order is out of order.

Mr. BAUMAN. But, Mr. Speaker, the rules of the House directly provide for this.

The SPEAKER pro tempore. The Chair again will state that the point of order is not well taken.

The Chair has already ruled.

PARLIAMENTARY INQUIRY

Mr. WAGGONNER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. My parliamentary inquiry is this: Does the Chair rule this way in view of the decision of the Chair last week when the gentleman from New York (Mr. PIKE) was the Chairman of the Committee of the Whole, and who ruled that a point of order could be made at any time?

The SPEAKER pro tempore. The Chair will state it can be made at any time that the House is in the Committee of the Whole, and the amendment is pending. The House is not in the Committee of the Whole at this time, and the amendment has been agreed to.

Mr. WAGGONNER. The words "at any time," then, may be interpreted in a different way today than they were last week?

The SPEAKER pro tempore. No; the rulings are consistent.

Mr. WAGGONNER. I thank the Speaker.

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

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

#### MOTION TO RECOMMIT

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

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. QUIE. I am, in its present form, Mr. Speaker.

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

The Clerk read as follows:

Mr. QUIE moves to recommit the bill H.R. 4222, to the Committee on Education and Labor with instructions to report back the same forthwith with the following amendment: Strike out section 18 thereof, entitled "Additional Payments for Full-Price Lunches During Fiscal Year 1976."

The SPEAKER pro tempore. Under the rules of the House, the gentleman from Minnesota is recognized for 5 minutes.

Mr. QUIE. Mr. Speaker, the issue is the same as we had when we debated the amendment offered by the gentleman from Kentucky (Mr. PERKINS) to increase the subsidy for the lunches of those who can afford to pay for their own lunches, by 5 cents. The subsidy is now 21¼ cents, and will be raised by 5 cents at a cost of \$125 million additionally at a time when our country is in severe economic straits and when we have a huge deficit facing us. This would mean an additional \$125 million on top of a bill that is \$1.4 billion over the budget, \$1.1 billion over this year's costs, and \$700 million over the cost it would be if we had just a straight extension of the programs as currently authorized.

I believe that to provide an additional subsidy for those who do not need it is totally unwarranted. We will have many reasons to go above the budget substantially. We will have many reasons to have a higher deficit than any of us want; but to add this, I think, is the straw that breaks the camel's back.

I urge my colleagues to accept the motion to recommit.

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

Mr. QUIE. I yield to the gentleman from Georgia.

Mr. LANDRUM. I thank the gentleman for yielding.

At what point in the individual income does the increased subsidy begin?

Mr. QUIE. For a family of four, it begins for those with incomes of \$10,020 and above.

Mr. LANDRUM. Incomes of what?

Mr. QUIE. \$10,020 and above.

Mr. LANDRUM. In other words, a family of four making \$11,000 has its school lunch program subsidized by an additional nickel over what it is now subsidized?

Mr. QUIE. That is right, or a family of \$50,000 or \$25,000.

Mr. LANDRUM. And the additional 5-cent subsidy will call for an added \$125 million budget?

Mr. QUIE. A \$125 million budget.

Mr. LANDRUM. \$125 million?

Mr. QUIE. That is right.

Mr. LANDRUM. Meaning that will be added to the already heavy deficit being recommended by the Committee of the House and the committee of the other body?

Mr. QUIE. I would assume that would be correct.

Mr. LANDRUM. And the budget deficit recommended by the House committee is now \$73.2 billion?

Mr. QUIE. That is what I understand.

Mr. LANDRUM. Does that mean that we add this \$125 million to that?

Mr. QUIE. Since the amendment was not before the Budget Committee, I would assume that would be correct.

Mr. LANDRUM. I thank the gentleman.

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

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

Mr. MICHEL. I thank the gentleman for yielding.

I certainly support his motion to recommit. This School Lunch and Nutrition Act currently is costing us \$2,046,000,000, and if we simply extend the act, we would be spending \$2,418,000,000. With the adoption of the amendment offered by the gentleman from Kentucky, we are going to run over \$3 billion, in other words, a 50 percent increase for the comparable programs in the coming fiscal year 1976 over this fiscal year. I think it is just, frankly, too much at this time. With the adoption of the Chisholm amendment, every child in a family of four making \$10,020 is entitled to have all of his or her lunch over 20 cents subsidized. If it is 90 cents, it means that there is a 70-cent Federal subsidy. And that can cost us anywhere from an additional \$150 to \$300 million.

While that is probably acceptable in some quarters for low-income families, certainly those of us in the middle-income and above do not need our own kids' lunches subsidized by the increase in this proposed piece of legislation. I support the gentleman's motion to recommit. I think it is sound and his approach is much more reasonable for these times.

Later on this week we are going to take

up the budget concurrent resolution and we are going to hear all kinds of weeping and wailing over the size of the Federal deficit, but when given a chance to do something about it, we see Members running for cover.

This authorization in its present form is over \$1 billion over the budget and over the current year's level of spending.

Why not support the gentleman's motion and do the right thing for a change.

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

Mr. QUIE. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. I thank the gentleman for yielding.

Would the gentleman repeat what he said previously in the discussion? What is the difference as far as Montgomery County is concerned and the city of Chicago, as far as this 5 cents is concerned?

Mr. QUIE. I used the comparison between Montgomery County with 569,000 residents and Chicago with 3,300,000 residents, and Montgomery County will get more money from that 5-cent amendment than the whole city of Chicago.

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

Mr. Speaker, first let me state that we have some 10 million school students, elementary and secondary, receiving free lunches that we subsidize at 84 cents a lunch. We have another 800,000 that we are subsidizing on a reduced price at 64 cents a lunch. The regular lunch program for many years has been going downhill. Presently we only have 15.3 million schoolchildren in the paid-lunch category. We have dropped from 18 million down to 15.3 million children in the last 4 years; at the same time we have added on 4,000 school lunchrooms in the country. The reason we have dropped is we are pricing the regular school lunch child out of the school lunchroom.

I want to yield briefly to the gentleman from Wisconsin but I would like to say that surveys throughout the Nation prove conclusively this 5 cents will be a holding operation to keep the school lunch programs from raising their prices next fall.

I yield now to the distinguished gentleman from Wisconsin to give us an example of what is going on in this country.

Mr. CORNELL. Mr. Speaker, I would like first of all to preface my remarks by assuring the Members of this House the 5 cents will not subsidize the school lunch program for my children.

We had a survey taken in the elementary schools in the State of Wisconsin, which were not selected but included the whole State. It showed that as we increase the cost of the hot lunch program there is a substantial reduction in the price of students. I have given these figures before but I would like to repeat them because they are very significant. Where the student charge was 25 cents, 82 percent participated; where the price was 35 cents, 68 percent participated; where the price was 45 cents, 44 percent participated; and where the price was 55 cents, only 22 percent bought the hot lunch program.

Mr. PERKINS. Let me tell the Members of this House we have escalators

built in for the free and the reduced price lunch for children as the cost of the food goes up. It amounts to 11 cents a year, whereas under the escalator for the paid lunch program the cost of food is going up 28 percent during the past 2 years and the escalator under the regular school program provided 1.75 cents additional per meal.

I say to the body this 5-cent pass-on to the school lunch programs where the children participate is absolutely essential and a must if we are going to strengthen the paying program. When the paying program is shut down the free and reduced price lunch programs are also shut down. Families with a \$10,000 income or \$11,000 income or \$12,000 income are the people who are paying the taxes in the country and they deserve to have a regular lunch program in their schools. That is all this amendment will do. It will insure that the price of the regular program will not go up.

The SPEAKER pro tempore (Mr. O'NEILL). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

Mr. QUIE. 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 144, nays 246, not voting 42, as follows:

[Roll No. 160]

YEAS—144

Abdnor	Erlenborn	Miller, Ohio
Anderson, Ill.	Esch	Montgomery
Andrews, N. Dak.	Eshleman	Moore
Archer	Fenwick	Moorhead, Calif.
Armstrong	Findley	Mosher
Ashbrook	Fish	Myers, Ind.
Ashley	Flowers	Myers, Pa.
Bafalis	Flynt	Nichols
Bauman	Forsythe	Pasman
Beard, Tenn.	Frenzel	Pickle
Bell	Frey	Quile
Bennett	Gialmo	Quillen
Biester	Goldwater	Regula
Bingham	Gooding	Roberts
Blouin	Gradison	Robinson
Brown, Ohio	Grassley	Rousselot
Broyhill	Hagedorn	Runnels
Buchanan	Hastings	Saras
Burgener	Hébert	Satterfield
Burleson, Tex.	Heinz	Schneebeli
Butler	Hillis	Schulze
Byron	Hinshaw	Sebelius
Casey	Holt	Shuster
Cederberg	Hughes	Skubitz
Chisholm	Hutchinson	Smith, Nebr.
Clancy	Hyde	Snyder
Clausen, Don H.	Jarman	Spence
Clawson, Del.	Jeffords	Stanton, J. William
Cleveland	Johnson, Colo.	Steelman
Cohen	Johnson, Pa.	Steiger, Ariz.
Collins, Tex.	Jones, Okla.	Symms
Conable	Kasten	Talcott
Conlan	Kelly	Taylor, Mo.
Conte	Ketchum	Teague
Coughlin	Kindness	Thone
Daniel, Dan	Lagomarsino	Thornton
Daniel, Robert	Landrum	Treen
W. Jr.	Latta	Vander Jagt
de la Garza	Lent	Waggoner
Derrick	McClory	Wampler
Derwinski	McCollister	Whitehurst
Devine	McDonald	Whitten
Dickinson	McEwen	Wiggins
Downing	McKinney	Wilson, Bob
Duncan, Oreg.	Mahon	Winn
du Pont	Mann	Wyder
Edwards, Ala.	Martin	Wyle
Emery	Mathis	
	Mazzoli	
	Michel	

NAYS—246

Abzug	Hall	Oberstar
Adams	Hamilton	O'Byrne
Addabbo	Hammer	O'Hara
Alexander	Schmidt	O'Neill
Ambro	Hanley	Ottenger
Anderson, Calif.	Hannaford	Patman
Andrews, N.C.	Harrington	Patten
Annuzio	Harris	Patterson, Calif.
Aspin	Hawkins	Pattison, N.Y.
AuCoin	Hayes, Ind.	Pepper
Badillo	Hays, Ohio	Perkins
Baldus	Hechler, W. Va.	Heckler, Mass.
Barrett	Heckler, Mass.	Peyser
Baucus	Hefner	Pike
Beard, R.I.	Helstoski	Pressler
Bedell	Henderson	Preyer
Bergland	Hicks	Price
Bevill	Hightower	Randall
Blanchard	Holland	Rees
Boggs	Holtzman	Reuss
Boland	Horton	Richmond
Bolling	Howe	Riegle
Bonker	Hubbard	Rinaldo
Bowen	Hungate	Risenhoover
Brademas	Jacobs	Rodino
Breaux	Jennette	Roe
Breckinridge	Johnson, Calif.	Rogers
Brinkley	Jones, Ala.	Roncalio
Brown, Calif.	Jones, N.C.	Rooney
Burke, Calif.	Jones, Tenn.	Rose
Burke, Fla.	Jordan	Rosenthal
Burke, Mass.	Karth	Rostenkowski
Burlison, Mo.	Kastenmeier	Roush
Burton, John	Kazen	Roybal
Burton, Phillip	Keys	Ryan
Carney	Koch	St Germain
Carr	Krebs	Santini
Carter	LaFalce	Sarbanes
Clay	Lehman	Scheuer
Collins, Ill.	Levit	Schroeder
Corman	Litton	Seiberling
Cornell	Lloyd, Calif.	Sharp
Cotter	Lloyd, Tenn.	Sikes
D'Amours	Long, La.	Simon
Daniels	Long, Md.	Sisk
Dominick V.	Lujan	Slack
Danielson	McCloskey	Smith, Iowa
Davis	McCormack	Solarz
Delaney	McDade	Spellman
Dent	McFall	Staggers
Dingell	McHugh	Stanton, James V.
Dodd	McKay	Stark
Downey	Macdonald	Steed
Drinan	Madden	Stephens
Duncan, Tenn.	Madigan	Stokes
Early	Maguire	Stratton
Eckhardt	Meeds	Stuckey
Edgar	Melcher	Studds
Edwards, Calif.	Metcalfe	Taylor, N.C.
Ellberg	Meyner	Thompson
English	Mezvisinsky	Traxler
Evans, Colo.	Mikva	Tsongas
Evans, Ind.	Millford	Udall
Fascell	Miller, Calif.	Ullman
Fisher	Mineta	Van Deerlin
Fithian	Minish	Vander Veen
Flood	Mink	Vigorito
Florito	Mitchell, Md.	Walsh
Foley	Mitchell, N.Y.	Waxman
Ford, Mich.	Moakley	Weaver
Ford, Tenn.	Moffett	Whalen
Fountain	Moorhead, Pa.	White
Fraser	Morgan	Wilson
Fulton	Moss	Charles H., Calif.
Fuqua	Mottl	Wirth
Gaydos	Murphy, Ill.	Wolf
Gibbons	Murphy, N.Y.	Yates
Gilman	Murtha	Yatron
Ginn	Natcher	Young, Alaska
Green	Neal	Young, Tex.
Gude	Nedzi	Zablocki
Guy	Nix	Zeferetti
Haley	Nolan	
	Nowak	

NOT VOTING—42

Biaggi	Harsha	Ruppe
Brodhead	Howard	Russo
Brooks	Ichord	Shipley
Broomfield	Kemp	Shriver
Brown, Mich.	Krueger	Steiger, Wis.
Chappell	Leggett	Sullivan
Cochran	Lott	Symington
Conyers	Matsunaga	Vanik
Crane	Mills	Wilson
Dellums	Mollohan	Charles, Tex.
Diggs	Poage	Wright
Evins, Tenn.	Pritchard	Young, Fla.
Gonzalez	Railsback	Young, Ga.
Hansen	Rangel	
Harkin	Rhodes	



So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Russo with Mr. Broomfield.  
Mr. Rangel with Mr. Charles Wilson of Texas.  
Mr. Shipley with Mr. Rhodes.  
Mr. Howard with Mr. Hansen.  
Mr. Blaggi with Mr. Ruppe.  
Mr. Diggs with Mr. Young of Georgia.  
Mr. Matsunaga with Mr. Hardin.  
Mr. Pritchard with Mr. Shriver.  
Mr. Krueger with Mrs. Sullivan.  
Mr. Leggett with Mr. Kemp.  
Mr. Rallsback with Mr. Wright.  
Mr. Vanik with Mr. Steiger of Wisconsin.  
Mr. Young of Florida with Mr. Mollohan.  
Mr. Dellums with Mr. Lott.  
Mr. Evans of Tennessee with Mr. Symington.  
Mr. Gonzalez with Mr. Chappell.  
Mr. Brooks with Mr. Crane.  
Mr. Conyers with Mr. Brodhead.

The result of the vote was announced as above recorded.

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

The question was taken.

#### RECORDED VOTE

Mr. PERKINS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 335, noes 59, not voting 38, as follows:

[Roll No. 161]

#### AYES—335

Abdnor	Carter	Flynt
Abzug	Cederberg	Foley
Adams	Chisholm	Ford, Mich.
Addabbo	Clausen,	Ford, Tenn.
Alexander	Don H.	Forsythe
Ambro	Clay	Fountain
Anderson,	Cleveland	Fraser
Calif.	Cohen	Frey
Anderson, III.	Collins, III.	Fulton
Andrews, N.C.	Conde	Fuqua
Andrews,	Conyers	Gaydos
N. Dak.	Corman	Gibbons
Annunzio	Cornell	Gilman
Ashley	Cotter	Ginn
Aspin	Coughlin	Goodling
AuCoin	D'Amours	Gradison
Badillo	Daniel, Dan	Grassley
Bafalis	Daniels,	Green
Baldus	Dominick V.	Gude
Barrett	Danielson	Guyer
Baucus	Davis	Hagedorn
Beard, R.I.	de la Garza	Haley
Bedell	Delaney	Hall
Bell	Dent	Hamilton
Bennett	Derwinski	Hammer-
Bergland	Dingell	schmidt
Bevill	Dodd	Hanley
Blester	Downey	Hannaford
Bingham	Downing	Harrington
Blanchard	Drinan	Harris
Blouin	Duncan, Oreg.	Hastings
Boggs	Duncan, Tenn.	Hawkins
Boland	du Pont	Hayes, Ind.
Bolling	Early	Hays, Ohio
Bonker	Eckhardt	Hébert
Bowen	Edgar	Hechler, W. Va.
Brademas	Edwards, Calif.	Heckler, Mass.
Breaux	Ellberg	Hefner
Breckinridge	Emery	Heinz
Brinkley	English	Helstoski
Brooks	Esch	Henderson
Brown, Calif.	Evans, Colo.	Hicks
Brown, Ohio	Evans, Ind.	Hightower
Buchanan	Evins, Tenn.	Hillis
Burke, Calif.	Fascell	Hinshaw
Burke, Fla.	Fenwick	Holland
Burke, Mass.	Findley	Holtzman
Burlison, Mo.	Fish	Horton
Burton, John	Fisher	Howe
Burton, Phillip	Fithian	Hubbard
Byron	Flood	Hughes
Carney	Florio	Hungate
Carr	Flowers	Jacobs

Jeffords	Mosher
Jenrette	Moss
Johnson, Calif.	Mottl
Johnson, Colo.	Murphy, Ill.
Johnson, Pa.	Murphy, N.Y.
Jones, Ala.	Murtha
Jones, N.C.	Myers, Ind.
Jones, Okla.	Myers, Pa.
Jones, Tenn.	Natcher
Jordan	Neal
Karth	Nedzi
Kastenmeier	Nichols
Kazen	Nix
Kelly	Nolan
Keys	Nowak
Kindness	Oberstar
Koch	Obey
Krebs	O'Brien
LaFalce	O'Hara
Lehman	O'Neill
Lent	Ottinger
Levitas	Patman
Littton	Patten
Lloyd, Calif.	Patterson, Calif.
Lloyd, Tenn.	Pattison, N.Y.
Long, La.	Pepper
Long, Md.	Perkins
Lujan	Peyster
McClary	Pickle
McCloskey	Pike
McCormack	Pressler
McDade	Preyer
McFall	Price
McHugh	Quillen
McKay	Randall
McKinney	Rees
Macdonald	Regula
Madden	Reuss
Madigan	Richmond
Maguire	Riegle
Mahon	Rinaldo
Mann	Risenhoover
Mathis	Roberts
Mazzoli	Rodino
Meeds	Roe
Meicher	Rogers
Metcalfe	Roncalio
Meyner	Rooney
Mezvinisky	Rose
Mikva	Rosenthal
Millford	Rostenkowski
Miller, Calif.	Roush
Mineta	Roybal
Minish	Runnels
Mink	Ryan
Mitchell, Md.	St Germain
Mitchell, N.Y.	Santini
Moakley	Sarasin
Moffett	Sarbanes
Moore	Scheuer
Moorhead, Pa.	Schroeder
Morgan	Schulze

#### NOES—59

Archer	Frenzel	Rhodes
Armstrong	Gialmo	Robinson
Ashbrook	Goldwater	Roussellot
Bauman	Holt	Satterfield
Beard, Tenn.	Hutchinson	Schneebeli
Broyhill	Hyde	Shuster
Burgener	Jarman	Skubitz
Burleson, Tex.	Kasten	Steiger, Ariz.
Butler	Ketchum	Symms
Casey	Lagomarsino	Teague
Clancy	Landrum	Treen
Clawson, Del	Latta	Vander Jagt
Collins, Tex.	McCollister	Waggonner
Conable	McDonald	Whitehurst
Conlan	McEwen	Wiggins
Daniel, Robert	Martin	Wilson, Bob
W., Jr.	Michel	Wylie
Devine	Miller, Ohio	
Dickinson	Montgomery	
Edwards, Ala.	Moorhead,	
Erlenborn	Calif.	
Eshleman	Quie	

#### NOT VOTING—38

Blaggi	Harsha	Rallsback
Brodhead	Howard	Rangel
Broomfield	Ichord	Ruppe
Brown, Mich.	Kemp	Russo
Chappell	Krueger	Shipley
Cochran	Leggett	Shriver
Crane	Lott	Steiger, Wis.
Dellums	Matsunaga	Symington
Derrick	Mills	Vanik
Diggs	Mollohan	Wilson,
Gonzalez	Passman	Charles, Tex.
Hansen	Poage	Young, Fla.
Harkin	Pritchard	Young, Ga.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Russo with Mr. Ruppe.  
Mr. Shipley with Mr. Brown of Michigan.  
Mr. Pritchard with Mr. Hansen.  
Mr. Blaggi with Mr. Broomfield.  
Mr. Rallsback with Mr. Passman.  
Mr. Chappell with Mr. Lott.  
Mr. Krueger with Mr. Crane.  
Mr. Young of Florida with Mr. Shriver.  
Mr. Matsunaga with Mr. Derrick.  
Mr. Rangel with Mr. Kemp.  
Mr. Howard with Mr. Harkin.  
Mr. Diggs with Mr. Symington.  
Mr. Mollohan with Mr. Steiger of Wisconsin.  
Mr. Vanik with Mr. Ichord.  
Mr. Dellums with Mr. Gonzalez.  
Mr. Leggett with Mr. Young of Georgia.  
Mr. Brodhead with Mr. Mills.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 in order to extend and revise the special food service program for children and the school breakfast program, and for other purposes related to strengthening the school lunch and child nutrition programs."

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. SYMINGTON. Mr. Speaker, I wish to make a personal explanation. When the House concludes its debate today on H.R. 4222, the school lunch bill, I will not be present due to a previous commitment to participate in the World Food Outlook Symposium in St. Louis. If I were able to be present I would vote "aye" on the final passage of H.R. 4222.

#### AUTHORIZING CLERK TO MAKE CORRECTIONS IN H.R. 4222

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill just passed, the Clerk shall have authority to make any necessary corrections in punctuation and section numbers, including cross-references.

The SPEAKER pro tempore (Mr. O'NEILL). Is there objection to the request of the gentleman from Kentucky?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, what is the gentleman talking about on the bill here?

Mr. PERKINS. I understand there are a couple of sections that may require corrections as to punctuation and references in the bill just passed and we have always left it up to the Clerk in the engrossment. I have never heard that questioned before. There are no substantive changes involved anywhere; and I was simply asking unanimous consent that these matters be corrected. There are no substantive changes in the bill anywhere, just the numbering of the paragraphs and punctuation.

Mr. ROUSSELOT. Could that not be done in conference? Can the gentleman

assure me there were no substantive changes from what we voted on here? Can the gentleman assure me of that?

Mr. PERKINS. Certainly it would be much better if we did it as we went along. All of this legislation will be gone over in conference. I think this procedure is customary. I have always made those requests and they have never been objected to.

Mr. ROUSSELOT. Further reserving the right to object, Mr. Speaker, in voting on substantive changes, our concern is that we cannot have unanimous-consent requests, as we had in the tax rebate bill and then we find out there were all kinds of other things involved that were not presented to the House.

I certainly do not want to cause unnecessary trouble, but I am just saying, if the gentleman can assure us there are no substantive changes in what we are talking about.

Mr. PERKINS. Let me assure the gentleman from California, that is 100 percent correct.

Mr. ROUSSELOT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 6096

Mr. PEPPER, from the Committee on Rules, reported the following privileged resolution (H. Res. 425, Rept. No. 94-180), which was referred to the House Calendar and ordered to be printed:

H. RES. 425

*Resolved*, That immediately upon the adoption of this resolution, clause 2, Rule XXVIII to the contrary notwithstanding, it shall be in order to consider the conference report on the bill (H.R. 6096) to authorize funds for humanitarian assistance and evacuation programs in Vietnam and to clarify restrictions on the availability of funds for the use of United States Armed Forces in Indochina, and for other purposes.

#### LEGISLATION FOR CARE OF VIETNAMESE REFUGEES

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

Mr. ANDERSON of California. Mr. Speaker, today I am introducing legislation which will enable the Federal Government to pay for the care of Viet-

namese refugees upon their arrival in the United States.

This is a problem of immediate importance. The evacuation of Vietnamese refugees has been underway for some time. To date, it has unfortunately been a scene of confusion at almost every level.

We have all seen news reports of the panic among residents of Saigon. What is even more appalling is the lack of any definite plans for the accommodation of these people when and if they reach our country.

And they are coming. Indeed, many refugees from the Vietnam conflict are already in this country. Many of them have entered illegally, causing even more confusion for local officials.

My distinguished colleague from California (Mr. MINETA) has reported that a planeload of refugees arrived in his district, without any papers, legal status, or accommodations. Other areas have reported similar situations. The flow of refugees to Guam has already become so heavy that many of these people are being sent to Wake Island.

I have made repeated attempts to find out what plans are being made for the care and relocation of these people. This morning, we were informed by the State Department that plans are being made for one or more reception centers to be opened on military reserve bases in the United States, although no decision has been made as to where these bases would be opened.

Earlier, the State Department had informed California officials that the State Department's responsibilities would end with the arrival of the refugees into this Nation. I am pleased that the Federal Government is now planning some sort of operation to receive these refugees. The volunteer organizations who have offered to help relocate these people are to be commended. There are no firm figures on how many refugees we expect. The State of California has been told to expect approximately 50,000 refugees. There are already 30,000 refugees in Guam, with more on the way from Saigon and Clark Air Force Base in the Philippines.

However, there is still a strong possibility that State and local governments will have to bear the burden, in the long run, for the care and housing of these refugees. Considering the high rate of unemployment that we already have in this country, it will undoubtedly be some time before the refugees become self-supporting. And since many of them do not speak English, and are unfamiliar with our customs and way of life, additional problems can be anticipated.

The bill I am introducing, along with my colleagues, does not in itself provide money for the refugee problem. It does give the Federal Government the authority under existing law to meet these needs.

Briefly, it amends the Migration and Refugee Assistance Act of 1962 to include refugees from Vietnam and Cambodia. As it stands now, this law provides Federal aid for refugees in the United States

only if the refugees fled from a nation in the Western Hemisphere.

My bill also calls for the Federal Government to consult with the State and local officials who will be affected by an influx of refugees.

Mr. Speaker, I believe this bill will provide needed assurance to State and local officials that we do not intend to leave them with a massive financial burden, because of a massive in-migration of Vietnamese refugees. If we are to accept the responsibility for these refugees, we must do so in a complete and effective manner.

#### INTERGOVERNMENTAL COUNTER-CYCLICAL ASSISTANCE ACT OF 1975

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

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I am today introducing the Intergovernmental Counter Cyclical Assistance Act of 1975 which I feel is an essential component of the Federal Government's efforts to restore prosperity and growth to the economy.

The bill will provide antirecession grants to financially pressed State and local governments. Similar legislation has been introduced in the other body by Senators MUSKIE and HUMPHREY in the Senate.

Our country is currently experiencing its most severe economic crisis since the depression. Eight million Americans were unemployed in March, almost 9 percent of the country's work force. Many economists predict that the national unemployment rate could rise as high as 10 percent later this year. This means a further reduction in production and further erosion of America's standard of living. The Joint Economic Committee has estimated that the current recession will cost America \$200 billion in goods and services in 1975 alone. For the remainder of the decade we could lose as much as \$1.5 trillion in output, which would have been produced at full employment. This is an amount equal to our entire gross national product in 1974.

The severity of the current recession has imposed significant financial hardships on many State and local governments. Costs have soared and revenue growth has been less than anticipated. One need only look at the combined deficit of all State and local governments to observe the tremendous impact of the current recession on their financial problems.

In 1972, the strength of the economy combined with the enactment of revenue sharing to yield a \$4 billion surplus for all State and local governments. By 1973, this surplus had disappeared and State and local governments were operating in balance. In 1974, however, the combination of rising costs and declines in anticipated revenue yielded a \$7.5 billion deficit. The deepening recession this year will undoubtedly exacerbate already



severe financial problems by increasing the demand for services and by further eroding the anticipated growth in revenues.

As a result of their deteriorating fiscal positions, many State and local governments have been forced to take stringent budgetary actions—laying off employees, cutting services, canceling or delaying capital construction and, in some cases, raising taxes. Without question, these budget actions by themselves impose great hardships upon the employees who lose their jobs and upon the citizens who suffer reductions in services. However, they are particularly damaging in a severe recession because they tend to undermine Federal Government efforts to stimulate a recovery.

It simply is not sound economic policy to allow State and local governments to raise regressive local taxes when the Federal Government is reducing progressive Federal income taxes. These State and local government tax actions weaken Federal efforts to stimulate a recovery and weaken the progressivity of the total tax system. Similarly, it is unwise to permit State and local governments to lay off employees and delay or cancel capital construction when the Federal Government is trying to increase employment through public service employment programs and through accelerated public works expenditures. Nor is it wise to allow State and local governments to cut essential social services, just when the need for these services is the greatest.

Unfortunately, it is unrealistic and in most cases illegal for State and local governments to correct their actions and undertake separate fiscal policies through deficit spending. State constitutions generally require State and local governments to operate with balanced budgets. However, even if these constitutional requirements did not exist, one could not realistically expect the thousands of State and local governments to coordinate their economic policies, thus formulating a consistent fiscal policy. Only the Federal Government has sufficient flexibility in economic policy to eliminate the fiscally perverse nature of State and local government budgets and to make all Government budget actions more consistent.

The legislation I am introducing today will provide the means for rationalizing the budgetary actions of all levels of government into one coherent fiscal policy. It would provide enough assistance to prevent fiscally perverse State and local government budgetary actions, but not enough to prevent essential streamlining that all sectors of the economy undergo in a recession. It will prevent State and local governments from bearing a disproportionate share of the burden imposed upon the country by recession.

The Intergovernmental Counter-Cyclical Assistance Act of 1975 will provide untied financial assistance to State and local governments, preventing them from

taking budget actions that will undermine Federal Government recovery policies. It will allow these governments to maintain services and retain employees without raising taxes.

The total amount of assistance provided varies with the national unemployment rate; \$2 billion would be available at 6 percent unemployment with an additional \$1 billion available for each 1 percent increment in the national unemployment rate. The present unemployment rate of 8.7 percent would make \$4 billion available per year.

The program is designed to target assistance toward those communities that suffer the greatest recession induced financial problems. No jurisdiction with an unemployment rate below 6 percent will receive assistance under the act. By adopting this trigger, the bill clearly chooses a pinpointed approach rather than a peanut butter approach.

Assistance will be distributed on the basis of a formula that takes into account the level of services provided by a State or local government and the total number of unemployed persons within the jurisdiction. The number of unemployed persons, is used to measure the impact of the recession on each jurisdiction's financial position.

In addition to rationalizing all governments' budget actions and providing essential relief to hard-pressed State and local governments, this bill is an effective antirecession program for three important reasons. First, the magnitude of program varies with the severity of the recession, increasing as unemployment worsens and phasing out as we return to full employment. Second, the assistance is targeted toward those communities with the greatest recession induced financial problems. Finally, expenditures under this program will be made quickly and thus will not linger long after the recession has ended.

Because of these unique advantages, I urge my colleagues to support the Intergovernmental Counter-Cyclical Assistance Act as an essential element of our efforts to reduce unemployment and restore economic growth.

Mr. Speaker, I am inserting an explanation of the bill prepared by the Senate Intergovernmental Relations Subcommittee into the RECORD at this point:

#### EXPLANATION OF INTERGOVERNMENTAL COUNTER-CYCLICAL ASSISTANCE ACT

This program would provide targeted emergency financial assistance to hard pressed State and local governments caught in a fiscal squeeze brought on by the combination of recession and continued inflation.

The purpose of this assistance would be to help State and local governments maintain their existing levels of services and employment without raising taxes, thereby preventing them from undertaking policies that will undercut Federal efforts to stimulate the economy.

#### THE PROBLEM

A. During times of severe national economic difficulties, the economies of State and local governments also suffer.

As recent testimony before the Senate Subcommittee on Intergovernmental Relations

revealed, that is particularly true in the current economic situation. Hit by the double whammy of inflation and recession, State and local governments are faced with paying higher costs for providing services at the same time that higher unemployment reduces their projected revenues.

B. The impact of Federal policies to stimulate the economy can be substantially reduced if State and local governments, in an economic crunch of their own, adopt policies that undercut the Federal effort:

(1) The stimulative effect of a Federal tax cut designed to put money into the economy quickly would be substantially reduced if State and local governments increase their taxes.

(2) The net effect of a public jobs program, designed to create new jobs, would be substantially reduced if State and local governments lay off regular employees and replace them with public service employees.

(3) Federal efforts to stimulate the construction industry would be substantially damaged if State and local governments are forced to cancel construction of essential capital projects because they have no money to pay for them.

(4) Federal efforts to target the stimulus to those most in need—through the use of the progressive income tax cuts—would be distorted as State and local governments raised property and sales taxes which hit hardest at those at the bottom of the income ladder.

#### PROPOSED SOLUTION

This program would attempt to reduce the likelihood that State and local governments will adopt policies that blunt Federal efforts to stimulate the economy by providing such governments with emergency financial assistance.

This program would be distinct from revenue sharing. It is an anti-recession program. It will provide assistance to a limited number of jurisdictions—those with the most serious economic problems.

#### LEVEL OF FUNDING

The level of funding for this emergency assistance program would fluctuate with the national rate of unemployment.

When the national unemployment rate averages 6% or more, for three consecutive months, a maximum of \$2 billion would be made available for distribution to needy State and local governments. An additional \$1 billion would be made available for each subsequent percentage point increase in the national unemployment rate.

In other words, when the national unemployment rate averages 7% for three consecutive months, a maximum of \$3 billion would be available under this program. At 8% unemployment, a maximum of \$4 billion would be made available.

Similarly, as unemployment decreases, the amount available under this program would decrease.

Because the program would phase out as the economy improves, it would have less long term inflationary impact than other programs enacted during a recession. Unlike other programs that may start small and then get larger over the years, this program would start large when it is most needed—when the economy is in the greatest difficulty and would get smaller as the economy improves.

The level of funding should provide enough funds to stabilize those State and local governments in the worst fiscal shape without making up in full the projected deficit of State and local governments. This is very important because a time of economic difficulty should be a belt-tightening time for all levels of government. The purpose of

this program is not to bail out State and local governments in fiscal difficulty. Rather, it is to provide them with enough assistance so that, if they make economies of their own, they can stabilize their budgets and not be forced to reduce services or employment or taxes.

#### DISTRIBUTION OF FUNDS

The funds available under this program would be divided into two pots—one-third of the funds would go to State governments and two-thirds of the funds would go to local governments.

The formula for distribution to both State and local governments would take into account both unemployment and taxes raised by each recipient government with unemployment given double weight. Unemployment would provide a measure of the impact of the recession on a particular government. The level of taxes raised would provide a measure of the size of the operations of that particular government.

#### A. Allocations to State governments

State allocations would be made two-thirds on the basis of unemployment and one-third on the basis of its adjusted taxes. In each case the particular State's unemployment (in numbers) and its taxes raised would be compared to national totals, with the unemployment percentage weighted double. Say, for example, a State had 5% of the nation's unemployment and raised 2% of all taxes raised by all State governments. With the unemployment percentage weighted, that State would receive 4% of the funds for all State governments. At current unemployment levels, the State would receive about \$52 million—or 4% of the \$1.3 billion available to State governments.

#### B. Allocations to local governments

Allocations to local governments would be made according to the same formula—two parts unemployment and one part adjusted tax raised. For each local government for which the Labor Department has verified unemployment statistics (about 2,000 in all), there would be an allocated share. For those local governments for which the Labor Department does not have verified unemployment data, funds to be administered by the State would be set aside in each State.

Local governments for which there is no precise unemployment data would, in the aggregate, receive funds in the same proportion as the local governments for which there is unemployment data.

State or local governments whose unemployment rate drops below 6% would not receive assistance under this program. However a local jurisdiction with an unemployment rate above 6% would receive its share even if it were located within a State with an unemployment rate below 6%. Any funds not expended because they were allocated to jurisdictions with an unemployment rate below 6% would remain with the Treasury—and as a result the total funding of the program would be reduced.

In addition, the legislation provides for a contingency fund to be administered by the Secretary of the Treasury, of up to 2½% of the amount authorized for the program. This fund would be used by the Secretary for the purpose of making additional support grants to State and local governments in severe fiscal difficulty.

#### RESTRICTIONS ON USE OF FUNDS

It is important to give State and local governments as much flexibility as possible in the spending of these funds so that this assistance can be used to complement other Federal programs to stimulate the economy. The principal restriction that would be

placed on State and local governments is that these funds be put toward maintaining current service levels.

State governments receiving funds under this program would be required to maintain their current levels of assistance to local governments.

In addition, whenever a State or local government which receives assistance under this legislation raises its taxes or substantially reduces its services, it must report that to the Secretary of the Treasury within 30 days.

#### APPLICATION PROCEDURE

Unlike revenue sharing, there would be an application procedure—though be it expedited—for State and local governments obtaining funds under this program. The Secretary of the Treasury is required to approve within 30 days every application that meets the requirements of the program.

#### CIVIL RIGHTS ENFORCEMENT

There would be a flat prohibition against discrimination in the use of any funds under this program. In any case where the Secretary of the Treasury makes a finding of discrimination by a State or local government and is unable to achieve compliance within 30 days, he would be authorized to defer payment to the discriminating jurisdiction unless compliance is achieved.

#### WAGE STANDARDS FOR LABORERS

The legislation provides that laborers and mechanics employed by contractors on all substantial repair or renovation construction programs funded under this program be paid wages at rates not less than those prevailing on similar projects in the locality as determined by the Secretary of Labor under the Davis-Bacon Act.

#### FORMULA

##### State allocations

###### Definitions:

**State Unemployment Percentage:** The ratio obtained by dividing the number of unemployed persons within each State for the most recent quarter by the total number of unemployed persons in the nation for that same quarter.

**State Tax Percentage:** The ratio is obtained by dividing the adjusted taxes raised from own sources by each State government by the adjusted taxes raised from own sources by all State governments.

Each State's allotment is based on the following formula: 2(SUP) plus (STP) over 3 equals percentage of funds authorized for allocation to State governments.

##### Local allocations

###### Definitions:

**Local Unemployment Percentage:** The ratio obtained by dividing the number of unemployed within each locality for the most recent quarter by the total number of unemployed persons in the nation for that same quarter.

**Local Tax Percentage:** The ratio obtained by dividing the adjusted taxes raised from own sources in each locality by the adjusted taxes from our sources raised by all localities across the nation.

Each locality's allotment is based in the following formula: 2(LUP) plus (LTP) over 3 equals percentage of funds authorized for allocation to local governments.

#### STATE GAS TAX REVENUES IN DANGER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DERWINSKI) is recognized for 5 minutes.

Mr. DERWINSKI. Mr. Speaker, in our pell-mell rush to solve the energy crisis, we are on the verge of voting crippling sanctions against each of our 50 States. Ever since the oil embargo, existing and pending energy conservation measures have put the emphasis on ways to reduce gasoline consumption. Commendable and meritorious as this approach may be from an energy standpoint, it will have calamitous financial consequences for the States.

Since State gasoline tax revenues generally are based on a fixed gallonage tax, it is not too difficult to understand that reduced gasoline consumption would have a substantial impact on State revenues. In 1973, the States collected \$7.6 billion in gas taxes—a total which accounted for approximately 12 percent of all State tax revenues. Based on 1973 tax rates and assuming a 5-percent annual growth in gasoline consumption, State revenues would total \$13.6 billion by 1985.

However, the cumulative effect of previous Federal action and pending legislation now before the House Ways and Means Committee will reduce gasoline consumption by nearly 18 percent in 1976 and by approximately 30 percent by 1980. That means, based on 1973 rates, the States would lose \$1.5 billion in gasoline tax revenue in 1976 and \$3.8 billion by 1980. In my own State of Illinois, lost gasoline tax revenue would total \$124 million in 1980 and would have a crippling effect on the State's highway program.

While the Federal Government earmarks gas tax revenue for highway and related transportation problems, many States use State gas tax revenue not only for transportation but for a variety of other programs. For decades, the States have relied on State gas taxes for a stable and sizable segment of their total revenue. As the accompanying table shows, gas tax revenues accounted for more than 20 percent of total tax revenues in four States. Only two States collected less than 8 percent of their total tax revenue in gas taxes.

In my own State, Governor Walker and the Illinois General Assembly will be faced with the unenviable job of trying to replace a revenue source which now provides about 10 percent of the State's total tax revenue. The only other alternative for Illinois and the other 49 States would be substantial cutbacks in programs which are financed with State gas tax revenues.

In view of the devastating impact reduced gasoline taxes will have on each of the States, I think consideration has to be given to reimbursing the States for resultant revenue losses. None of the proposals pending in the House Ways and Means Committee addresses itself to that problem.

So that the Members may see the impact of Federal energy conservation proposals on State revenues, I am submitting tables which provide data for each State and include them in the RECORD at this point:



TABLE 1.—GAS TAXES AS SOURCE OF STATE REVENUE

[In millions of dollars]

State	1973 tax per gallon of gas (cents)	1973 gas tax revenues	1973 total tax revenues	Gas tax revenues as a percentage of total tax revenues	State	1973 tax per gallon of gas (cents)	1973 gas tax revenues	1973 total tax revenues	Gas tax revenues as a percentage of total tax revenues
Alabama	7.0	\$130	\$828	15.7	Montana	7.0	\$31	\$162	19.1
Alaska	8.0	9	79	11.4	Nebraska	8.5	74	351	21.1
Arizona	7.0	81	628	12.9	Nevada	6.0	23	146	15.8
Arkansas	8.5	97	536	18.1	New Hampshire	9.0	35	150	23.4
California	7.0	715	7,010	10.2	New Jersey	8.0	252	1,775	14.2
Colorado	7.0	89	636	14.0	New Mexico	7.0	47	351	13.4
Connecticut	10.0	131	1,065	12.3	New York	8.0	466	8,034	5.8
Delaware	9.0	27	306	8.8	North Carolina	9.0	244	1,525	16.0
Florida	8.0	336	2,400	14.0	North Dakota	7.0	23	164	14.0
Georgia	7.5	211	1,263	16.7	Ohio	7.0	348	2,522	13.8
Hawaii	5.0	14	304	4.6	Oklahoma	6.6	103	656	15.7
Idaho	8.5	37	234	15.8	Oregon	7.0	84	592	14.2
Illinois	7.5	354	3,471	10.2	Pennsylvania	8.0	383	3,755	10.2
Indiana	8.0	220	1,419	15.5	Rhode Island	8.0	30	297	10.1
Iowa	7.0	110	821	13.4	South Carolina	8.0	116	789	14.7
Kansas	7.0	85	491	17.3	South Dakota	7.0	26	110	23.6
Kentucky	9.0	150	898	16.7	Tennessee	7.0	156	918	17.0
Louisiana	8.0	138	1,095	12.6	Texas	5.0	358	2,613	13.7
Maine	9.0	47	281	16.7	Utah	7.0	42	313	13.4
Maryland	9.0	163	1,381	11.8	Vermont	9.0	22	179	12.3
Massachusetts	7.5	177	1,967	9.0	Virginia	9.0	217	1,315	16.5
Michigan	9.0	402	4,061	9.9	Washington	9.0	151	1,218	12.4
Minnesota	7.0	137	1,557	8.8	West Virginia	8.5	65	533	12.2
Mississippi	9.0	108	624	17.3	Wisconsin	7.0	146	1,759	8.3
Missouri	7.0	177	1,073	16.5	Wyoming	7.0	19	85	22.3

TABLE 2.—IMPACT OF REDUCED GAS CONSUMPTION ON STATE REVENUES

[In millions of dollars]

State	1976	1980	1985
Alabama	31	63	115
Alaska	2	3	6
Arizona	22	48	93
Arkansas	23	49	94
California	147	312	562
Colorado	19	41	77
Connecticut	26	54	93
Delaware	4	10	17
Florida	98	212	426
Georgia	58	124	245
Hawaii	1	4	5
Idaho	7	15	26
Illinois	49	124	232
Indiana	42	89	157
Iowa	18	40	70
Kansas	10	23	37
Kentucky	34	71	131
Louisiana	31	65	120
Maine	8	18	31
Maryland	39	83	156
Massachusetts	32	65	113
Michigan	83	175	316
Minnesota	24	50	87
Mississippi	23	51	95
Missouri	34	71	126
Montana	5	11	18
Nebraska	13	26	42
Nevada	8	16	31
New Hampshire	9	18	33
New Jersey	42	89	156
New Mexico	10	21	38
New York	65	140	230
North Carolina	54	116	212
North Dakota	5	8	15
Ohio	71	174	274
Oklahoma	20	41	72
Oregon	19	42	80
Pennsylvania	67	140	242
Rhode Island	6	10	19
South Carolina	28	58	110
South Dakota	2	7	12
Tennessee	38	80	151
Texas	68	143	253
Utah	9	19	33
Vermont	4	10	18
Virginia	52	110	209
Washington	29	61	107
West Virginia	2	26	46
Wisconsin	3	58	103
Wyoming	5	8	13

## SUBSTITUTE BUDGET RESOLUTION INTRODUCED

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from California (Mr. ROUSSELOT) is recognized for 15 minutes.

Mr. ROUSSELOT. Mr. Speaker, today I am introducing a concurrent resolution setting aggregate budget levels for fiscal year 1976. I intend to offer my resolution as an amendment in the nature of a substitute to the House Budget Committee's resolution (H. Con. Res. 218) when this legislation is considered later this week.

My resolution would balance budget outlays with anticipated revenues, and the following is a summary of its provisions:

First. Section 1(a)—Recommended level of Federal revenues in fiscal year 1976 is \$299.4 billion. The Budget Committee's resolution has reduced Federal revenues by \$4.4 billion to \$295 billion in anticipation of the loss in revenue that will occur when Congress extends the tax reduction provisions in the recently enacted tax legislation—Tax Reduction Act of 1975, Public Law 94-12—to 1976. Essentially passage of the Budget Committee's resolution would be a tacit agreement by Congress to extend the tax reduction bill—legislation which has not even been considered. It is too early to know if the tax rebates will have any meaningful impact on the economy, and I do not believe that they will. In my view, the taxpayers of this Nation would rather see inflation brought under control, which could result in greater savings and spending power to the people, than a small tax rebate that is refunded to them in the year after it was collected. I have added a new section 2 to my substitute which would force Congress to act by July 15 if a revision of this budget resolution is necessary under section 304 of the Congressional Budget and Impoundment Control Act of 1974, and, in my estimation, that would be the appropriate time to make a decision on the extension of the Tax Reduction Act not

4 weeks after its enactment as the Budget Committee's resolution proposes.

Second. Section 1(b)—New budget authority in fiscal year 1976 is set at \$300 billion. The committee in its resolution sets the budget authority at \$395.6 billion. As you know, Mr. Speaker, the budget authority is essentially the appropriations and "back door" spending that is allowed in a fiscal year, but, of course, not all of this authority will be obligated or spent in that fiscal year. If we are truly to bring the budgetary process under control, we must put an end to massive appropriating and "back door" spending bills that mandate spending in years to come—commonly referred to as the so-called "uncontrollables" in the budget. As a matter of fact, approximately \$110 billion is mandated to be spent in fiscal year 1976 under budget authority enacted in previous years unless congressional action is taken to amend and reduce that budget authority.

Third. Section 1(c)—Budget outlays in fiscal year 1976 limited to the amount of anticipated revenues, \$299.4 billion. The Budget Committee's resolution would set outlays at \$368.2 billion—a \$100 billion increase over fiscal year 1974—which would result in a deficit for fiscal year 1976 of \$73.2 billion. Although the Budget Committee's report on House Concurrent Resolution 218 admits that the economy cannot continue to tolerate huge deficits in fiscal year 1977, it dismisses its recommended deficit of \$73.2 billion for fiscal year 1976 as "unavoidable and necessary." The committee reasons that Treasury borrowing to finance its recommended deficit will not displace borrowing in the private sector, and it gives as one of its reasons that, "private demand for loans has fallen rapidly during the current recession." In other words, the committee believes that if the recession continues there is no problem with financing the deficit. The "catch-22" of this theory is that their

justification for the excessively high level of Federal spending and the resultant exorbitant deficit is that such action is needed to stimulate the economy, and—

Given that result, continued Federal borrowing at the fiscal year 1976 level could compete with revived private loan demand and drive interest rates beyond what many borrowers could afford. Under those circumstances, to avoid high interest rates would require a further expansion of the money supply in excess of productive capabilities. This excess supply of money could lead to higher rates of inflation, if the strength of private demand again rises strongly. (House Budget Committee's Report on H. Con. Res. 218, H. Rept. 94-145, page 16.)

Many companies are already being pushed out of the bond market as a result of Treasury borrowing to finance the deficit. These stories have appeared in recent issues of the Wall Street Journal:

The corporate bond market may be on the verge of collapse.

"The door into the capital market is beginning to close, and soon perhaps only the stronger companies will be able to squeeze in," warns one official of a prestigious investment banking firm, Morgan Stanley & Co. And one veteran trader says he believes that, "major segments of the bond market" are near collapse.

The reason so many companies are being forced out of the bond market is the vast sums of money that the U.S. Treasury will have to raise there, thus causing a shortage of cash for other issues. It's estimated that the Treasury will have to tap the public debt market for an estimated \$80 billion over the rest of this year to offset a record U.S. budget deficit. Earlier this week the Treasury said it must raise about \$17.5 billion in net new money by June 30. This is a staggering \$13 billion more than had been forecast as recently as late February. (Wall Street Journal, April 3, 1975)

In puzzling over the outlook for corporate credit in the months to come, private economists generally agree on certain points.

For one, the government will go on trying to stimulate the economy out of the current recession, following up the \$22.8 billion tax cut with new federal spending programs. At some point a vigorous recovery will get underway, accompanied by a sharp rise in business demands for credit.

The Treasury, however, will preempt a large share of the available funds as it finances big federal deficits. So the upshot will be one of the following or, quite possibly, a combination of both:

Interest rates will rise and some business borrowers will be crowded out of the market; a rush to avoid just such a development has helped to push the bond market close to collapse within the past few days.

The Federal Reserve System will supply enough funds to meet the combined needs of the Treasury and business. But the swift growth of the money supply eventually will rekindle inflation and that will push up interest rates. (Wall Street Journal, April 7, 1975)

It is clear to me that the only solution to restoring long-term economic stability is to bring Federal spending under control and ease the inflationary pressures on the economy. A balanced budget would mean more credit available in the private money markets—a fact which would encourage capital investments by industry to expand production and jobs.

Fourth. Section 1(d)—Deficit for fis-

cal year 1976 recommended in my substitute would be \$0, while the committee's resolution would ask the economy to accept a \$73.2 billion deficit.

Fifth. Section 1(e)—Increase in the public debt limitation necessary in my substitute is \$11.4 billion for fiscal year 1976. The committee's proposal includes a \$93 billion increase in the debt limitation—the current debt limitation is \$531 billion through June 30, 1975. The \$11.4 billion increase in my substitute is necessary primarily to account for the outlays of the off-budget Federal agencies. These off-budget agencies currently include the Export-Import Bank, the Federal Financing Bank, the Rural Electrification and Telephone Revolving Fund, the Rural Telephone Bank, and the U.S. Railway Association. It is necessary to include the outlays of the off-budget agencies in the budget deficit since the lending of these Government-sponsored enterprises has to be financed by borrowing from the public or by other means.

It is only by including their outlays that a true picture can be given of the total Federal deficit that has to be financed in fiscal year 1976. As you know, Mr. Speaker, section 606 of the Congressional Budget and Impoundment Control Act requires the Budget Committees of Congress to study the provisions of law which exempt the off-budget agencies from inclusion in the normal budgetary computations. The committees are further authorized to recommend changes terminating or modifying these provisions—this is an action which I hope will be forthcoming in the near future.

The House Budget Committee included approximately \$8 billion in its \$93 billion recommendation to increase the debt limitation to compensate for the rise in the debt ceiling that it estimates will be necessary at the end of fiscal year 1975. However, we are dealing with a fiscal year 1976 resolution, and the budget control provisions in the Congressional Budget and Impoundment Control Act of 1974 are not effective until fiscal year 1976 and then only partially implemented. In addition, such an increase to cover fiscal year 1975 expenditures has not been approved by Congress. If the Ways and Means Committee also believes that an \$8 billion increase in the debt limitation is necessary to cover fiscal year 1975 expenditures, it should bring such a bill before the House for consideration before the end of this fiscal year. It is for these reasons that I did not include this estimate in my substitute, and I do not think it is appropriate that it should be included.

Following is the full text of the resolution I am introducing setting aggregate budget levels for fiscal year 1976:

H. CON. RES. 254

Resolved by the House of Representatives (the Senate concurring),

SEC. 1. That the Congress hereby determines, pursuant to section 301(a) of the Congressional Budget Act of 1974, that for the fiscal year beginning on July 1, 1975—

(a) the recommended level of Federal revenues is \$299,400,000,000;

(b) the appropriate level of total new budget authority is \$300,000,000,000;

(c) the appropriate level of total budget outlays is \$299,400,000,000;

(d) the amount of the deficit in the budget which is appropriate in the light of economic conditions and all other relevant factors is \$0; and

(e) the appropriate level of the public debt is \$542,400,000,000 and the amount by which the temporary statutory limit of such debt should be accordingly increased is \$11,400,000,000.

SEC. 2. The Congress may adopt a revision of this resolution, pursuant to section 304 of the Congressional Budget Act of 1974, in the event of sharp revisions in revenue or spending estimates brought on by major changes in the economy or other developments. The adoption by the Congress of any such concurrent resolution described in this section, revising the recommended or appropriate aggregate levels contained in the first section of this resolution, shall be not later than July 15, 1975.

### THE CAUSE OF THE RECESSION WAS INFLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, economic analysts now agree the key cause of our recession was inflation.

It was inflation which created the turmoil in the economy which made recession inevitable.

And, this inflation—to a very great degree—was caused by the Federal Government, including its out-of-control spending and the deficits arising from that reckless spending.

The day after tomorrow, the House will begin a historic 10-hour debate on the resolution to establish the "target" ceilings on Federal expenditures and the deficit this coming fiscal year.

For years Congress sought a greater role in the formulation of the Federal budget, and the Congressional Budget Control Act of 1974 finally vested the Congress with that enhanced role. For those who had hoped that this would mean less—instead of more—Federal spending I am sorry to report that Congress is apparently about to fail the test.

The resolution which will be before us calls for Federal spending of about \$73 billion in excess of revenue. Little or no restraint has been exercised. Programs have not been trimmed, and there has been little reluctance to engage in more new programs.

This staggering deficit will add to the national public debt—the burden not only saddled upon the living but those yet to be born.

The disastrous effects of this additional spending on efforts to control inflation will be severe, touching off another round of double-digit inflation. The result: a great likelihood of an even more severe recession, probably beginning in or soon following the winter of 1976-77—conveniently after the November 1976 elections.

How does this excessive spending bring about inflation?



When Government spends more than it takes in, it still must pay its bills. It pays those bills through borrowing funds from the same financial institutions that lend them out privately to businesses, to contractors, to prospective home purchasers, et cetera. The more capital Government takes out of the markets, the less remains.

Thus competition for those dollars remaining allows those institutions to set higher rates of interest. This in itself reduces the amount of speculative capital, because those with speculative ventures cannot nearly as well afford to pay the higher rates of interest. But, the effect is higher interest rates, and when business, contractors, home purchasers, and so forth, cannot borrow, recession is the inevitable result, meaning the loss of productivity and jobs.

The Federal Government, unlike you or me, has another way to pay off its bills. The Government may pay off a portion of its new debt by monetizing it—a process by which the Federal Reserve System extends credit to its member banks, through "high-powered" money devices.

If the money supply increases faster than production, higher prices are always the result. There has never been a dramatic increase in money supply in the last century which has not been followed by a dramatic increase in prices. As the rate of inflation goes up, so to does the rate of prices, following by a few months to a year.

What is the effect on the dollar? Let me use an example.

If there is a level of national productivity of, for example, 1,000 units, and there are \$1,000 in circulation, then each has a value of \$1. Now, if Government increases the money supply by 100 the next year—without any commensurate increase in national productivity—that means we have \$1,100 in circulation, but productivity still stands at 1,000. Thus, the value of each unit of money is decreased to about \$0.91. That simply means that it takes more of those units of money today to buy what you could have bought last year. What cost \$1 last year, now costs about \$1.09. That is inflation.

A majority of members of the Committee on the Budget have apparently not learned their lessons sufficiently as to the direct consequences of what they are asking us to approve this week—the inflationary, then recessionary, consequences of too much Federal spending.

The debate on this issue is usually structured this way. One side argues that it was the recession which created the deficits. The other side—the one with which I agree—contends that it was the deficits which through inflation created the recession.

I think the proof of the accuracy of the latter position is in the facts.

We have had deficits 16 out of the past 18 years—a substantial and sustained Government stimulus to the economy—one designed, according to the advocates of deficit financing, to create jobs and assure prosperity. It ought to be obvious

to even the most casual observer that this has not happened.

Instead, we now have the highest level of unemployment since before the Second World War and the lowest level of national productivity in 37 years.

Their plans have backfired, and it is time for them to acknowledge it and set about a separate course—one designed to reduce Government spending and deficits, thereby reducing inflation and the risks of recession.

A penetrating analysis published last Friday in the Wall Street Journal substantiates this growing awareness among economic analysts that it was inflation which caused the recession.

I think it is well worth the time of every Member to read this thoughtful study. It certainly shows us what we ought not to do this week—rubberstamp the committee's recommendations that we spend more and more of the taxpayers' already scarce money and that we set into motion policies which will burden the taxpayer with continued inflation.

The analysis follows:

STUDYING THE SLUMP: ANALYSTS NOW AGREE RECESSION'S KEY CAUSE WAS RAMPANT INFLATION

(By James P. Gannon)

"It was all held up by mirrors."

Looking back on last year's apparent business prosperity from the depths of this year's severe recession, economist Charles Reeder of Du Pont Co. finds it clear that there was a basic phoniness about it all. In mid-1974, production was booming, prices were climbing, profits were rising and orders were pouring in so that that Du Pont's plants couldn't keep up with them.

But even then, Mr. Reeder had a nagging worry that this boom wasn't real. "Our manufacturing divisions kept telling me I was wrong," he recalls. "They were flat sold out and scrambling to get raw materials." Still, the economist knew that consumer spending had been weak for months, so the order strength had to reflect inventory building by businesses rather than final sales. Du Pont's customers were ordering feverishly to beat expected price increases and to stockpile goods against possible shortages that might disrupt their operations or retard their sales.

This buying panic, fueled by inflationary psychology, was going on all across the industrial economy. Businessmen were selling goods to one another at a hectic pace, largely ignoring the steady erosion of consumer purchasing power being wrought by inflation. "It was the kind of situation where, when change came, it had to come fast," the Du Pont economist reflects. "Sort of like the stock market: When a bull market ends, it can happen quickly."

#### THE COLLAPSE

It did happen quickly. The phony prosperity of 1974 collapsed so fast last fall that it caught the federal government, American businessmen and the economics profession flat-footed. In September, the White House was holding its summit conference on inflation and pooh-poohing talk about a recession; the head of General Motors Corp. was predicting sales of 10 million 1975-model cars, a 5% rise from expected 1974-model sales; a quarterly survey of 50 leading economists yielded a consensus forecast of a fourth quarter upturn. Yet at the same time the bottom was starting to drop out of the U.S. economy.

None of the authorities foresaw what the

next six months would bring: the worst recession in America since the great Depression of the 1930s. Since September, industrial production has plunged 12.7%, employment has dropped by 2.5 million jobs, and the nation's unemployment rate has leaped to 8.7%, the highest since 1941, from 5.8%. That means eight million jobless people.

Though the economy's slide is still continuing it is losing momentum. The decline in factory production is moderating, and businesses are selling the unwanted inventories that forced the big production cuts and layoffs. Businessmen and economists generally expect a gradual recovery in summer or fall.

#### ROOT CAUSE: INFLATION

What caused the recession? And why did it sweep through the economy with such frightening speed? Extensive interviews with academic economists, business forecasters, corporate executives and other analysts across the country indicate that they are still sifting the debris of their shattered expectations for the answers. That process may go on for months or years, but the most important conclusion already is evident: The root cause of this recession was rampant inflation.

When Mr. Reeder of Du Pont says last year's fragile prosperity was "held up by mirrors," he is thinking of all the reflections of inflation that distorted the true picture of the economy. Inflation swelled profits and sales figures, producing a phony euphoria among businessmen; it distorted government economic statistics, making it hard to see that a recession was brewing; it bred a buy-and-stockpile psychology among businessmen even as it was eroding purchasing power and increasing the income-tax bite on consumers, producing a save-and-retrench attitude. Inflation's impact is the key thread linking all the many causes of recession, including the Federal Reserve's heavy-handed tight-money policy of 1974 that sought to stop the frightening price spiral at all costs.

"What we have here," comments Edwin N. Yeo, senior economist and vice chairman of Pittsburgh National Bank, "is an inventory recession that has its roots in inflation." Like many other economists, Mr. Yeo thinks of the current slump as a two-stage recession: a consumer recession, which began late in 1973 as increasing costs of food, fuel and other basics undermined people's ability to buy cars, refrigerators, clothing and other things; and a business recession, which started soon after last Labor Day. "The consumer recession has been mild, but the business recession has been wild," Mr. Yeo says.

Consumers ran a losing race with prices all through 1973 and 1974. The workingman's income just couldn't keep up with double-digit inflation. Real spendable earnings—take-home pay after tax and price increases are considered—fell 8.8% between November 1973, when the economy was at its peak, and last month. One key reason was the explosion in retail food prices, which soared 20% in 1973 and another 12.2% in 1974, according to government statistics.

Two elements of the inflationary squeeze on consumers had especially debilitating effects. One was the "oil tax" imposed by Arab and all oil-exporting states; the other was the hidden income-tax increase imposed by the interaction of inflation and the progressive federal income-tax system.

By more than tripling the price of oil exported to the U.S., the foreign oil producers extracted an additional \$18 billion from Americans last year. That increase in the U.S. oil-import bill represented a dead-weight loss to the economy; the money flowed entirely out of the American spend-

ing stream into foreign pockets. The oil-price explosion triggered other energy-price increases that may have doubled the direct impact of \$18 billion, according to some estimates.

Many economists liken the impact of these price rises to that of a massive excise tax. "It's as though we put a 4% sales tax on everything we buy," with the government keeping rather than spending the receipts, says Arthur Okun of the Brookings Institute.

This "oil tax" was at once both inflationary and deflationary; it pushed up prices to consumers and pushed down the economy by taking a vast amount of income out of the spending stream. "We get the worst of both worlds" in such a case, Mr. Okun observes.

#### THE TAX BURDEN

The unlegislated income-tax increase of 1974 also is gaining recognition as a cause of the consumer recession. Again, inflation is the culprit. "The tax system treats an increase in money income as an increase in real income and takes a bigger withholding bite," explains F. Thomas Juster, a University of Michigan economist who studies consumer behavior.

Families whose incomes rose just enough last year to keep up with the 12% pace of price rises didn't have any increase in real income. But their nominal gain was subject to taxation, and this pushed many into higher tax brackets. Thus, last year's 8% increase in total personal income produced a 15% jump in tax collections from individuals. Mr. Juster says that "the tax system is supposed to be an automatic stabilizer" that extracts less from the economy during recessions than during booms but that "it didn't work out that way in 1974" because of inflation.

"As a result of inflation-swollen tax collections," states a study by the Joint Economic Committee of Congress, "this is the first recession during which the overall tax burden on individuals and families has increased." The committee study reports that tax payments last year rose faster than any other part of the family budget, outstripping hefty advances in food and housing costs. The study figures that for a typical family of four with an income of \$14,466, income taxes rose by \$426 and Social Security taxes by \$140 last year, mainly because the family's income rose \$1,840 from the year before.

As they watched grocery bills, fuel bills, tax bills and other budget items climb alarmingly, consumers lapsed into a state of inflation-shock. Frightened and confused, they cut back spending postponing purchases of things that weren't absolutely essential. In this bearish, unstable environment, Detroit unleashed its summer stunner: price increases averaging \$500 per car. The consumer recession deepened as the expensive 1975-model autos went on sale to an unreceptive public. The "powerful combination" of inflation-shock and auto-industry layoffs created "a real air pocket in consumer spending in September, October, November and December," Mr. Juster of Michigan says.

#### BUSINESS GETS THE MESSAGE

Although consumer markets had been sluggish since late 1974, the recession message didn't really get through to most businessmen until autumn.

"They just didn't see the recession because they were selling to each other," explains David Grove, chief economist for International Business Machines Corp. "They weren't looking at the consumer, they were looking at all the orders from other producers." With profits holding high and orders

strong, he says, "businessmen were misled into thinking, 'What recession?'"

Certainly, there were a lot of misleading signals. In Washington, government officials were assuring businessmen as late as mid-October that the economy was just "waffling sideways" through a temporary energy-crisis "spasm." Private economists were widely divided about the outlook, with those predicting a recession generally saying it would be mild.

Economic statistics were confusing, too. "We had lots of data problems that were puzzling," says Geoffrey Moore, vice president of the National Bureau of Economic Research, a private outfit that keeps track of economic trends. Real gross national product (the physical output of all goods and services) was down sharply, but industrial production was essentially flat and employment was rising through much of 1974, he notes.

Inflation turned some key statistics into misleading indicators. Mr. Moore says that "the profits situation was confusing because profits in dollars looked very good and kept going up all through 1974." But, he adds, when profits were adjusted for gains in inventory values because of inflation, "they looked very sick indeed." Most businessmen, however, had a hard time thinking recession when their earnings statements looked so good.

#### INVENTORY ACCUMULATION

Spurred by fears of shortages, a stream of materials-price increases and their own inflation-distorted profits and sales figures, businessmen kept building up inventories. "The inventory accumulation was stupendous," says Raymond J. Saulnier, chief White House economist under President Eisenhower. "And it was all obscured by totally misleading inventory statistics."

In July, the Commerce Department reported that it had massively underestimated the pileup of inventories in 1973 and early 1974. Its revised figures showed that inventory building in 1973 had been double its earlier estimate and that inventory accumulation in the first quarter of 1974 ran at a dangerously high \$16.9 billion annual rate, rather than a \$5.5 billion rate as previously thought.

"Overnight, we went from a position of saying that there was no inventory overhang to saying that we've got the biggest overhang in years," Mr. Grove of IBM says. "It became clear that we were going to have a humdinger of an inventory correction." And that means a deep recession "This is one of the reasons the slide is so steep now," Mr. Grove adds, "because it is a delayed reaction." In other words, if businesses had gradually lowered production last year in line with weakening consumer buying, the collapse in autumn could have been avoided.

The forces building toward an economic bust were strongly reinforced by government policies in 1974. Horrified by the eruption of double-digit inflation, officials of the Ford administration and the Federal Reserve Board decided to risk a recession in adopting restrictive fiscal and monetary policies to halt the price spiral.

#### "LEANING TOO FAR"

Herbert Stein, who resigned as chief White House economist last September, told Congress in mid-1974 that strong restraint must be used to subdue inflation, "even at the risk of possibly leaning too far" toward recession. Now a professor at the University of Virginia, Mr. Stein concedes that the administration and the Fed leaned too far. The chief anti-inflation hawks, Treasury Secretary William Simon and Fed Chairman Ar-

thur Burns, promoted a type of "zealotry" that made more moderate policies impossible, Mr. Stein says.

William Fellner, another member of the President's economic council until he resigned in February, confirms that the policymakers were willing to risk a recession. "The feeling was that if we don't get inflation under control," he says, "then the system is lost." Officials felt that a free-enterprise democracy couldn't survive long with double-digit inflation because "ruthless" government controls on economic activity would have become necessary.

This climate of fear produced not only restrictive budget and monetary policies but also a post-summit Ford proposal for an income-tax increase and a WIN-button campaign. The tax proposal was doomed in Congress from the outset—as administration officials undoubtedly knew—but it helped buy some time to permit the Fed's tight-money policy to slow inflation.

Was the recession an accident, or was it made in Washington on purpose? Probably it was some of both. "It wasn't that Simon and Burns wanted to fill the record books with bad economic numbers, like 9% unemployment," says Mr. Okun of Brookings, who was chief economist under a Democratic President, Lyndon Johnson. "But all the risks were taken on the downside."

Inflation had sown the seeds, and the crusade against inflation had reaped the harvest: the bitter fruit of recession.

Mr. Speaker, it is time we went on a spending diet. Inflation is not an act of God. It is a result of politicians' irresponsible actions. I can think of no better time than now to put a stop to it.

#### CONDOMINIUM TAXATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BURKE) is recognized for 10 minutes.

Mr. BURKE of Florida. Mr. Speaker, I introduced a bill to provide tax relief for condominium owners, homeowner's association, and cooperative housing corporations by adding to the list of exempt organizations contained in the Internal Revenue Code (a) section 501 (c) those organizations set up to operate, preserve and maintain the common areas and facilities of the same.

I represent the Fort Lauderdale, Fla., area which is known as the condominium capital of the United States. Specifically my district is composed of 18 municipalities, and a large portion of the unincorporated areas of Broward County, the fastest growing county in the United States. The cities include Dania, Davie, Fort Lauderdale, Hollywood, Lauderdale-by-the-Sea, Lauderdale Lakes, Lauderdalehill, Miramar, Pembroke Pines, Plantation, Oakland Park, Sunrise, and Wilton Manors.

Last year we passed the Housing and Community Development Act of 1974 which mandated the Department of Housing and Urban Development—HUD—to conduct a full investigation and study of condominiums and cooperatives and to report its findings to Congress before August 22, 1975. I was happy to offer my support for this legislation.

While condominiums have been popular in Europe for years, they are a new



concept in the United States. Only since 1962 have people been able to buy condominiums. In fact, in 1970 condominiums accounted for only 11 percent of new home sales. Now, in Broward County, Fla., condominiums are the prevalent form of housing, and, if the experts are correct, they will soon be the prevalent form of housing for all Americans.

At the present time approximately 35,000 condominiums in the Fort Lauderdale area are vacant. When the Consumer Price Index—CPI—started to rise many condominium buyers became aware of the fine print in their purchase contracts, notably those containing recreation leases and escalation clauses tied to the CPI. Some leases obligate buyers, their heirs, or subsequent purchasers to continual monthly payments to the developers for such amenities as swimming pools and saunas, and the payments go up but not down with the Consumer Price Index. Failure to make such monthly payments can result in foreclosures and the loss of the purchaser's investment.

Pursuant to the law passed by the 93d Congress, early in 1975, I requested the HUD Condominium Task Force to hold field hearings on condominium problems in Fort Lauderdale so that concerned Floridians could have the opportunity to give their views to HUD officials charged with handling condominium problems. A team of investigators headed by Assistant Secretary for Policy Development and Research, Michael H. Moskow, in accordance with my request, did hold hearings in Fort Lauderdale on March 24, 1975. Voluminous information was obtained from both the developers and owners as to the problems of condominium development and ownership.

Condominiums, of course, may be office buildings, resort hotels, townhouses, or single family homes, but national concern is presently on alleged abuses involving apartments. Basically, a buyer gets fee simple title to an apartment and part of a common interest in other facilities, including public hallways, elevators, grounds, lobbies, and recreation.

One may purchase an interest in such facilities outright or pay a monthly rental under a lease with a developer. Generally the lease arrangement is more favorable to the latter, since it enables him to sell at a more competitive price and still receive residuals for as long as 99 years.

One might ask why anyone would sign a purchase contract with a recreation lease. According to testimony in Fort Lauderdale, only about 5 percent of the buyers were represented by an attorney when they signed contracts which often ran to 60 pages. The buyers apparently were dazzled by what the Sunshine State offered—beautiful apartments at modest prices, well-landscaped grounds with enticing recreational facilities, and just ignored the fine print and signed up.

Although the State of Florida recently passed a law governing full disclosure of facts in condominium sales, it does not protect buyers who signed contracts for

the purchase of a condominium prior to passage. Problems still remain such as:

Long-term recreation leases that force owners to pay for use of facilities for years after the cost of such facilities has been recouped by the developer.

Management contracts that state maintenance service charges are included automatically in condominium ownership.

Conversion of apartment units to condominiums, forcing renters, many elderly and poor, to move.

Possible bankruptcy of developers who have received down payments for building condominiums, but who have found themselves unable to build.

Furthermore, the Florida law does not establish authority for any specific agency to administer the law, hence this necessitates a great amount of litigation by the State attorney general and individuals.

Despite the many problems with condominium ownership there are still many advantages. Any new type of housing requires adjustments and proper protective legislation.

Mobile homes created problems when they were first introduced, so it is not surprising that today condominiums which are so popular—and, by the way—here to stay—concern all levels of government.

The legislation I introduced today will deal with one of the serious problems faced by condominium owners. Recently the Internal Revenue Service held that condominiums and housing associations are, in fact, corporations under the law, thus they should be taxed at corporate levels. The practical effect of this ruling is to severely hamper the development of such housing concepts by placing heavy tax penalties on the accumulation of reserve funds, and thus require associations to make heavy assessments on homeowners whenever extensive repairs must be made.

Mr. Speaker, as you know, condominium owners, are responsible for the maintenance of the interior of their units, but, the commonly held areas, are maintained by an association composed of the individual owners. This ownership management association takes the form of a corporation in order to protect owners from unlimited liability. Unit owners then pay, usually in monthly installments, a sum to the management organization, or the association, to meet these maintenance costs. The bulk of the monthly assessment is used for utilities, current maintenance and repairs and capital replacement and repairs. However, a smaller portion of this fee generally is set aside as a reserve for future capital replacement or repairs, such as for repairs to roofs, sidewalks, heating and air conditioning equipment and other pertinent recreational facilities. It is these reserve funds which are taxable by the IRS decision. The amount of tax involved could be as high as 48 percent at the Federal level, in addition to any State corporation tax such as we have in Florida.

Mr. Speaker, there are presently over 20,000 "community associations" in the

United States. To allow the IRS ruling to stand would be to force each and every owner to pay the high tax assessments on this reserve fund, an amount which is often in the tens of thousands of dollars.

Such a tax, in my opinion, is double taxation on these owners. The owner has already paid income taxes on the money deposited with the association for maintenance, but he must in effect pay another higher tax when that money goes into the reserve.

We have a situation where the Government and private lenders are requiring the maintenance of a reserve as a good, sound financial procedure, but another Government agency—the IRS—is taxing the reserve to death.

On January 15, 1974, the Internal Revenue Service, in Revenue Ruling 74-17, ruled that organizations "Formed by the unit owners of a condominium housing project to provide for the management maintenance and care of the common areas of the project as defined by State statute, with membership assessments paid by the unit owners does not qualify for exemption under section 501(c)(4) of the code." This decision reversed the traditional IRS interpretation which stated that organizations which are operated primarily for the purpose of bringing about civic betterment and social improvement, such as condominiums, were tax-exempt.

On March 6, 1974, Revenue Ruling 74-17 was modified to apply to homeowners associations, although not in such an all-inclusive order as was the case with condominiums. In Revenue Ruling 74-99, a homeowners' association may qualify for exemption under section 501(c)(4) of the code, if first, it serves a "community" which bears a reasonable recognizable relationship to an area ordinarily identified as governmental; second, does not conduct activities directed to the exterior maintenance of private residences; and third, offers the common areas or facilities it owns for the use of the general public. Thus, although some homeowner associations will still be tax exempt, most will no longer receive the exemption they previously enjoyed.

Cooperatives face these same heavy tax burdens when they accumulate excess assessments. In *Park Place, Inc. v. Commissioner of Internal Revenue*, 57 T.C. 767 (1972), the court found that excess assessments from members over and above, those amounts used for current operating expenses were taxable. Thus this ruling also prohibits cooperatives from accumulating reserves necessary for the accomplishment of long-term or costly maintenance tasks.

The individual homeowner does not have to pay a tax on the money he saves and expends for maintenance, but because of these rulings, the condominium, cooperative, and planned unit development homeowner does. In effect, the Internal Revenue Service has made it more costly for condominium homeowners than other homeowners to operate, preserve, and maintain their homes.

The bill I introduced today would exempt from corporate taxes the income

derived by condominium homeowners and cooperative housing associations from owner assessments for the purpose of maintaining, repairing, and replacing common property items. The measure requires that such corporation be operated exclusively for the preservation, maintenance, management, operation, and repair of common buildings, grounds, and facilities of the association, and does not allow such associations to engage in any profitmaking ventures not connected with the performance of services for the benefit of individual members of the association.

Additionally, membership would be limited to owners or occupants of residential units in the condominium, housing development, or cooperative housing corporation. Thus my bill would preclude the use of this exemption by commercial operations seeking such favorable tax treatment. Finally, to eliminate abuse, my proposal includes a special rule that only membership income—that income derived from assessments, fees, or charges received from members of the association for maintenance, and management of the development—is exempt—and that other income, from whatever source, including interest, is still subject to taxation.

Stated briefly my legislation exempts from Federal tax those reserve funds accumulated by housing associations through membership assessments for the purpose of maintaining the common buildings, grounds, and facilities of condominium, cooperative, or homeowner associations.

With all the other headaches besetting condominium owners, they do not need this added aggravation, and it is my hope that the Congress will act swiftly to enact my bill.

#### CONGRESSMAN DRINAN REFUTES CONTENTIONS THAT ISRAEL WAS INFLEXIBLE IN NEGOTIATIONS WITH EGYPT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. DRINAN), is recognized for 10 minutes.

Mr. DRINAN. Mr. Speaker, the Congress and the country have been assured by Secretary of State Kissinger in his recent address to the American Society of Newspaper Editors that "the American commitment to the survival of Israel will not be affected and cannot be affected" by the reassessment now being made by the Ford administration with respect to U.S. policies in the Middle East.

Although all of us would have been more pleased if Dr. Kissinger had spoken of the "security" of Israel rather than of its "survival" it seems unlikely that any important change in America's position on Israel can or will take place. Nonetheless, every possible misunderstanding must be clarified and every allegation of misconduct on the part of Israel must be answered. Israel must be able to continue to rely upon the friendship of the United States—especially in connection with the

defense of Israel for which Israel is now seeking to purchase \$2.2 billion in arms from the United States, including several squadrons of advanced F-15 fighters and Lance ground-to-ground missiles.

Mr. Speaker, all of the pulse-taking with respect to United States-Israel relations does not pertain to the Congress where support for Israel is at an unprecedented high. Whatever reassessment is being conducted has been ordered by the Ford administration on the allegation that Israel was less than flexible in the unsuccessful negotiations conducted by Dr. Kissinger.

All of the facts, however, that have emerged with respect to the negotiations between Israel and Egypt demonstrate that Israel was extraordinarily open while Egypt continued to be intransigent. Israel recognized the enormous difficulties confronting this tiny nation after the Rabat Conference of October 1974. The decisions at Rabat were not essentially different from those of the Khartoum Conference in 1967. In both conferences the Arab heads of state resolved and announced no peace with Israel, no recognition, and no negotiation. The Rabat Conference added the ominous declaration that the Palestinian Liberation Organization—PLO—was the sole representative of the Palestinians; the PLO of course openly seeks both in practice and as an ideological objective to exterminate Israel. The Rabat Conference also reached the decision to forbid separate or partial agreements between Israel and single Arab countries.

Despite these formidable barriers, Israel, in its negotiations with Egypt, offered to withdraw from the passes at Mitla and Gidi. In addition, Israel agreed to withdraw from the Abu Rodeis oil fields—the source of at least 50 percent of all the oil needed by Israel.

Israel offered these very tangible concessions in return for a requested long-range commitment of nonbelligerency toward Israel. President Sadat and his associates appeared at a moment in time to be talking about something approximating a declaration of peace, but at no time did they ever sincerely offer anything of substance in return for the very real and sacrificial concessions made by Israel.

Mr. Speaker, it seems difficult to understand how the allegation of intransigence or even of inflexibility against Israel has been made. The concessions offered by Israel were unprecedented in number and in depth. Not a few members of the Knesset and at least a strong minority of Israeli citizens wondered whether Israel should ever have offered the broad concessions which it extended to Egypt. The spokesmen for Israel in the negotiations quite literally wanted to progress step by step under the direction of Secretary Kissinger. A careful and comprehensive review of Egypt's reactions to each phase of the proposed step-by-step diplomacy causes one to wonder whether President Sadat ever comprehended that the negotiations depended upon concessions and compromises being made by each side on a step-by-step basis. The

position of President Sadat reflects of course the hard line, "hawkish" members of the Egyptian Government. But similarly minded persons are numerous and very articulate in Israel. Despite the presence and force of these persons, however, the Israeli Government extended olive branches unparalleled in all of the negotiations since the 1967 war. The offer to withdraw from the oil fields is in and of itself a startling concession by Israel. I do not know with any certainty whether the United States made some commitment to furnish Israel with oil in the event that it did withdraw from the oil fields in Abu Rodeis. But even if the States had made such an offer, the political and economic difficulties of carrying out such a promise would be very clear to the Israelis.

The Mitla and the Gidi Passes were, moreover, the key points of access through Sinai's western mountains to the plains that reached to the very borders of Israel. It is clear that the nation that holds these passes holds the key to the Sinai. Israel was willing to withdraw first to the middle of these passes and then to the east of them if the United Nations had supervision of the passes. In return for these concessions, Israel did not ask for peace, but only for a commitment to end war as an instrument of policy.

The best that Egypt after extensive negotiations would offer was an ambiguous military formula about "the non-use of force." This was a repetition in slightly different words of the undertaking which Egypt had assumed in the military disengagement agreement made in the Sinai in January 1974. Even though Israel offered concessions that would weaken it strategically, Egypt demonstrated that it was not going to be a serious partner in the step-by-step approach to peace. It was the Egyptian intransigence and President Sadat's determination to use the peace talks for military strategic gains that inexorably brought about the suspension of the negotiations.

It should also be pointed out that it was Israel in the final days of the Yom Kippur war that made a deliberate decision not to press on to a decisive military defeat of the invading Egyptian Army. It was once again Israel that in early 1975 demonstrated that it was ready to make far-reaching concessions with the full knowledge of the military risks involved. Egypt was asked only to take the first step away from war toward some prospects of peace. It must sadly be concluded that Egypt during the recent negotiations has not deviated from its 26-year long record of refusal to negotiate even the beginning of a comprehensive peace settlement.

#### THREE OTHER EXAMPLES OF EGYPTIAN PRETENSIONS OF PEACE

So many voices insinuate or imply that Israel has been inflexible that it seems necessary, Mr. Speaker, to set forth the details of three areas in which Egypt has been obstinate and recalcitrant in carrying out its commitment. In these three areas Egypt has pretended to make con-



cessions when in fact it has refused all compromise. These three areas are: First, the opening of the Suez Canal; second, the extension of the United Nations Emergency Force; and, third, the return of Israeli dead and missing in action.

The widely heralded intention of President Sadat to open the Suez Canal on June 5 demonstrates the hypocrisy of Egypt. The fact is that Egypt is already required by international law under the Constantinople Convention of 1888 to keep the canal open at all times. In addition, the Israel-Egypt disengagement agreement of January 18, 1974, includes an unqualified obligation by Egypt to permit the free passage of all cargo ships including those destined for and coming from Israel.

The alleged benefits to Israel and to the world from the forthcoming opening of the Suez Canal are not therefore a concession or a compromise on the part of Egypt. The opening of the Suez Canal is simply a withdrawal by Egypt from its lawlessness in defining international law with respect to the Suez.

President Sadat's announcement that he was "extending" the United Nations Emergency Force mandate for another 3 months is a second pretended concession by Egypt. President Sadat has no mandate or right to "extend" the existence of this emergency force in the Sinai Desert. By law, such a decision is entirely up to the Security Council and not to Sadat. This fact is clearly stipulated in the Security Council's Resolution No. 341—1973—which states that the force in the Sinai—

... shall be established ... for an initial period of six months and it shall continue in operation thereafter, if required, provided the Security Council so decides.

President Sadat's unilateral decision to extend the duration of this mandate is not a concession or a compromise but rather a usurpation of the exclusive function of the Security Council of the United Nations.

A third reason why Israel and the world can be skeptical of the so-called concessions of President Sadat comes from the manner in which he has handled the issue of the return of the bodies of Israeli soldiers who died in the Yom Kippur war in October 1973. On March 29, 1975, President Sadat announced to the Parliament in Cairo that he would return the bodies of 39 Israeli soldiers. Sadat pretended to the world that he was performing a great humanitarian act. The fact is, however, that in the Israel-Egypt disengagement agreement of January 1974, both sides agreed to cooperate with the Red Cross with respect to the immediate exchange of bodies. Egypt delayed in fulfilling its obligation in this matter and, beginning in May 1974, the Egyptians began to impose conditions on the return of the bodies. In particular, they demanded the release of hundreds of Arab terrorists—including the bodies of the killers of the children at Ma'alot. Israel acceded to the release of 92 terrorists and spies

along with 50 members of their families. In June 1974, Egypt demanded the release of more terrorists. When Israel refused, Egyptians promptly put an end to the search for the bodies of Israeli soldiers. It was not until February 1975 that the Egyptians, having extracted further concessions from Israel, indicated that they would implement the commitments which they made in January 1974, with regard to the fallen soldiers of Israel.

Egypt made no concessions in any of the three foregoing events. Indeed, it must be said with sadness that Egypt has made no concessions or compromises at any time. In fact, Egypt does not even live up to the basic agreements and commitments which it made in the Israel-Egypt disengagement agreement signed at kilometer 101 in the Sinai Desert on January 18, 1974.

#### ISRAEL'S PROBLEMS AND PROSPECTS

Nationally syndicated Prof. John P. Roche of Tufts University said recently that we could anticipate "a massive administration-sponsored campaign to bad-mouth Israel." One can hope that the situation will not come to this. At the same time, Israel will be criticized if she breaks off the Geneva Conference on the legitimate ground that the PLO is an Arab-Soviet front dedicated to the destruction of Israel. On the other hand, if Israel goes to the Geneva Conference, it will be construed as a de facto recognition of a certain legitimacy of the PLO.

A conclusion of the administration's "reassessment" is promised for mid-May. I cannot believe that any "reassessment" can reverse the positions of 6 Presidents and 13 Congresses.

Perhaps Secretary Kissinger spoke wisely in his recent interview with Pierre Salinger of the French newspaper, *L'Express*. Kissinger was asked if he felt that there were an erosion of support for Israel in the United States. He replied:

I think in general the readiness to give foreign aid and to run the risk of war has deteriorated in America, but I think that Israel has suffered less from that deterioration than almost any other country.

Secretary Kissinger was reassuring, however, when he reaffirmed in this same interview, that the objects of the administration's reassessment is "how we are to conduct" our diplomacy. He added:

This is the essence of our reassessment. Our reassessment isn't primarily concerned with questions of economic and military aid.

One can quarrel with the word "primarily" but overall Secretary Kissinger's words give some assurance that the unique friendship that has always existed between the United States and Israel is not being eroded.

Another area where Egypt appears to have been intransigent relates to the Arab boycott and blacklisting of American corporations that either have Jewish personnel or do business with Israel. In the negotiations between Israel and Egypt presided over by Secretary Kissinger, Israel offered concessions of a very tangible nature in return for a

requested cessation of the economic boycott by Israel. Egypt seems not even to have responded to this request.

In order to eliminate American complicity with the Arab boycott of Israel, I introduced on April 14 the Foreign Discriminatory Commercial Practices Act of 1975 (H.R. 5913). This bill would prevent American companies which do business with the Arabs from releasing information about the race or religion of their employees. H.R. 5913 would also make illegal the furnishing of information which would allow the Arab nations to continue their economic boycott of Israel. This bill, if enacted into law, would offset the reported adverse effects on the economy of Israel of Arab economic warfare. Background on this proposed measure may be found in the CONGRESSIONAL RECORD of April 15, 1975 at Page 10326. A description of the insidious anti-Israel and anti-Semitic impact of the Arab boycott was described by me in some detail in the CONGRESSIONAL RECORD of March 24, 1975 at page 8445.

#### THE BONDS THAT LINK ISRAEL AND AMERICA

Despite any ambiguity which might exist in the minds of people at this particular moment with respect to Israel, the simple fact is that the United States is overwhelmingly committed to the protection and preservation of this small nation. Nothing in all of American history has ever resembled the bond that exists between America and Israel. One might think that there would be no reason whatsoever why a giant, immense country like America would have such a love affair with tiny Israel, one of the smallest nations of the earth, both geographically and in population. The bonds that unite these two nations are not pragmatic or political but moral and spiritual. America, like Israel, was once the land for the ingathering of the exiles. America, like Israel, is a nation of immigrants come together in a country whose main business is the extension of freedom.

The scientific poll released on April 6, 1975, by Louis Harris in the New York Times confirms the solidarity which Americans feel for the people of Israel. By a 66 percent to 24 percent majority, the people of American favor sending Israel what it needs in the way of military hardware. This is most remarkable in view of the decisive 65 percent to 22 percent majority of Americans who, according to the same Harris poll, oppose America's giving military aid to other nations. A solid majority of the public, furthermore, and 77 percent of American leaders feel that the current Government of Israel is "reasonable in wanting to work for a peace settlement." In addition, 55 percent of the public is opposed to America's pressuring Israel to hand back the occupied areas, while a larger majority, 65 percent to 14 percent is opposed to Israel's giving up occupied territory in order to let PLO leader Yasir Arafat rule it.

Even when confronted with the hypothetical question of choosing between oil from the Arabs and friendship with the Israelis, Americans, by a 68 percent

to 20 percent majority, rejected the notion that "we had better find ways to get along with the Arabs, even if that means supporting Israel less."

When it came to the fundamental hypothetical question of whether we should stop supporting Israel with military aid if such were necessary to obtain Arab oil, an overwhelming majority of Americans, 64 percent to 18 percent, came down against abandoning Israel in order to secure sufficient oil.

The results of this Harris poll demonstrate that even if the Ford administration is making a "reassessment" of its position in the Middle East, the American people are not. It would seem that American citizens realize that the Arabs constitute only about 3 percent of the human race, have about 15 percent of the membership of the General Assembly of the United Nations, and have more than 60 percent of all the known oil resources in the world. Americans recognize that Arabs cannot pretend that they are the cruelly neglected and heavily underdeveloped peoples and nations of the Earth. All of the intransigence and the sabre-rattling of the Arab nations could not and hopefully never will deter the American people from continuing and intensifying that unique friendship which they have had with Israel ever since that small nation was created by international eminent domain by the United Nations some 27 years ago.

Mr. Speaker, the overwhelmingly clear message coming out of the negotiations between Israel and Egypt is that Israel will give massive withdrawal of land in return for a massive commitment of abiding peace from its neighbors. International law, in Resolutions No. 242 and No. 338 of the United Nations, supports Israel in its unwavering position that it will give withdrawal only in return for assurances that Israel will not ever again have to undergo any of the cruel wars which have tormented its people in 1948, 1956, 1967, and 1973.

Israel asks only that the United States continue its friendship and that, by diplomacy rather than by dictation, the people of America seek to help Israel in this difficult moment to obtain concessions from her enemies, alliances with her potential friends and understanding from all of the nations of the Earth.

#### ASSISTANCE FOR DISTRESSED STATE AND LOCAL GOVERNMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FORD) is recognized for 10 minutes.

Mr. FORD of Tennessee. Mr. Speaker, today I am introducing legislation designed to provide urgently needed assistance to distressed State and local governments across the Nation.

We are experiencing the most severe economic crisis since World War II. Unemployment is at its highest rate since the Great Depression of the 1930's. The national rate of unemployment as of

February 1975 was over 9 percent, representing well over 8 million Americans out of work. In my own district of Memphis, Tenn., unemployment jumped from 5.9 to 7.1 percent between January and February of this year alone. The gross national product has declined for 4 successive months and will undoubtedly show another decline in the first quarter of 1975.

In response to this economic turmoil, Congress has been laboring diligently to lighten the hardships and correct the ills suffered by the citizens of this country. The Tax Reduction Act, the Emergency Employment Appropriations Act, and the two emergency housing measures enacted over the past weeks will go far in alleviating our economic woes. The 94th Congress is aware of its responsibility to combat this recession and is meeting the challenge with swift and decisive action.

The bill I am today introducing, entitled the Intergovernmental Countercyclical Assistance Act of 1975, is intended to be part of this program to fight the deleterious effects of the recession/inflation squeeze on State and local governments by establishing a system of emergency support grants.

The need for this legislation is unmistakably clear. Over the past months, State and local governments have been compelled to take budgetary actions which in many instances negate or encumber Federal initiatives to deal with the recession. As the Federal Government enacts tax cuts and rebates, the State and local governments are forced to increase taxes simply to recoup falling revenues. As Congress expands the public service jobs program, the States and localities find themselves having to lay off employees and establish hiring freezes. At the same time that additional Federal appropriations have been made available for new building programs, the State and local governments are canceling job-producing capital improvement projects. Finally, drastically needed municipal and State services are undergoing widespread curtailment at precisely a period when they should be expanded.

This is a cautiously drafted, straightforward bill, the purpose of which is to assist State and local governments maintain their existing levels of services and employment without raising taxes, thereby preventing them from undertaking policies that will undercut Federal efforts to stimulate the economy. As Mayor Henry W. Maier of Milwaukee, Wis., noted:

It makes no sense for the Federal Government to cut taxes while at the same time pursuing policies to force our cities to increase taxes.

Mr. Speaker, the economic recovery program of the Congress up to now has been directed mainly toward the private sector. Public service jobs, tax rebates, and investment credits offer no help to the ailing public sector. And yet the State and local government sector is one of the most rapidly growing segments of the economy, employing four times as many people as the Federal Government

and spending almost two-thirds as much. This bill would remedy this shortcoming in our national economic policy.

Moreover, the assistance provided by this proposal is not meant to bail out State and local governments which are in fiscal straits. In a depressed economy, each State and local government must take steps to economize and use their resources as efficiently as possible. This legislation would insure that the budgetary actions of all levels of government aimed at solving this crisis are taken in a coherent fashion and that they are not counterproductive.

This bill would become operative when the national rate of unemployment reached 6 percent and the level of funding would correspond to increases in unemployment. When the national rate of unemployment averages 6 percent or more, for 3 consecutive months, a maximum of \$2 billion would be made available for distribution to needy State and local governments. An additional \$1 billion would be made available for each subsequent percentage point increase in the national unemployment rate. Similarly, as unemployment decreases, the amount available under this program would be reduced. Finally, only those States and local governments whose own unemployment rates were 6 percent or greater would be eligible to receive assistance.

The Intergovernmental Assistance Act of 1975 would give help to States and localities now, not at some future time when the crisis we are now facing has passed. This bill is limited in scope, designed only to help those governments which need it and only until their State and local economies have achieved some degree of normalcy or stability.

Mr. Speaker, I strongly urge my colleagues both to join me in sponsoring this sorely needed legislation and to work enthusiastically for its speedy enactment. The State and local governments are the foundation upon which this great nation is based. Reason tells us that this is a most sensible approach to economic recovery. Duty demands that we give these governments nothing less than our full support during this unsettling period. The Intergovernmental Countercyclical Assistance Act of 1975 is just such support.

#### TAX CREDITS AND ALLOWANCES ACT OF 1975 INTRODUCED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. CORNELL) is recognized for 15 minutes.

Mr. CORNELL. Mr. Speaker, it is with great pleasure that I rise to introduce the Tax Credits and Allowances Act of 1975. This bill provides permanent tax relief and simultaneously overhauls our confused jumble of programs that supplement low and moderate incomes. In my judgment, it is especially timely that this bill be given consideration before we move to make permanent any of the temporary individual income tax cuts



recently enacted with the passage of the Tax Reduction Act of 1975.

This plan consists of two parts: Tax relief for persons up to middle-income levels, and modest cash grants related to income for the poor. Since the existing programs of aid to families with dependent children—AFDC—and food stamps would no longer be necessary, they would be dropped.

First, a rebatable tax credit of \$225 per person would replace the current personal exemption of \$750 in the tax system. The credit would be deducted directly from tax liabilities rather than from taxable income. Any excess credits would be paid to the filer. Most workers would pay less taxes than now, including taxpaying families of four with earnings up to \$25,000.

Second, subsistence allowances would be paid to poor families and individuals. The maximum allowance, varying by family size, would be reduced by 50 cents for each dollar earned by recipients net of social security taxes. The total value of grants and tax credits for two adults and two children would be \$4,300; \$3,775 for one adult and three children. These are maximum amounts and would go only to the comparatively few families without any earnings or other private income.

Under this plan, people with no private income will receive full allowances and tax credits and pay no income tax. Those with very small incomes will still receive full tax credits but reduced allowances. Persons in the modest- and middle-income range will not be eligible for allowances, but they will pay less tax than now. Taxpayers in high-income brackets, for example a family of four with more than \$25,000 income, will owe somewhat more in taxes than they do now because the tax credits are less valuable than personal exemptions to filers with marginal tax rates above 30 percent. Since the tax credit and other tax reform provisions would reduce the tax burden for many, the plan would rationalize existing welfare programs while simultaneously aiding inflation-squeezed workers. Millions of people are pushed into higher tax brackets simply because their wages are increased to offset inflation. As a result, their real incomes have been falling at a time when prices are climbing beyond belief.

The Federal Government would fund and operate this program. Help to our poorer citizens would no longer depend primarily on their State's fiscal capacity. The Internal Revenue Service would administer the new program, and this will assure a higher level of accuracy and lower cost than relying on separate State agencies.

Over one-third of the \$22.6 billion net Federal budget cost of the new program would be in the form of tax relief for most workers; the rest would be cash grants for the poor. The cost could be financed from the normal growth in tax revenues since spending in other areas of the Federal budget could be restricted. The program would more than halve the income deficit of families in poverty. With State supplementation of Federal

benefits, their income deficit would be further reduced.

In conjunction with the supplemental security income program for the aged, blind, and disabled, all needy groups will be covered. The law now provides substantial cash benefits to female-headed families in high-income States, while categorically excluding most male-headed families trapped in poverty by low wages, poor health, or frequent unemployment. The system thereby discriminates against the working poor, and encourages husbands to desert their families in order to enable them to get on welfare. This plan will not exact the cruel price of family breakup as a condition for aid.

Benefit amounts under this plan are not designed to provide "adequate" levels of living. First, comparatively few families have no income-producing opportunities of their own. The program is thus designed to build on private efforts, rather than to substitute for them. It fits the vast majority of cases. Most beneficiaries will be low- and moderate-income workers, and benefits will provide only a minority share of total income. For example, a one-earner, two-parent family of four with earnings of \$4,000 will receive supplementation totaling \$2,417.

Second, persons with greater needs will be helped by the existing program of supplemental security income for the aged, blind, and disabled, or by States and localities on a case-by-case basis.

Third, the country cannot afford high support levels. For example, providing \$5,400 a year to a penniless family of four, with a 50-percent reduction in benefits for each earned dollar, would carry a gross cost of \$56 billion.

A revision of the tax code would give a special-earnings deduction to two-earner households and to one-parent households. The deduction would be in lieu of complex itemized work expense deductions for child care and other costs. The earnings deduction for two-earner families will reduce the "marriage penalty" that such couples now face under the income tax, and is a desirable tax reform measure in its own right.

The moderate benefit-loss rate and special earnings deduction would have three positive effects: They would provide significant supplementation of low earnings, maintain a reasonable income differentiation between workers and nonworkers and between those who work more or less, and minimize work disincentives.

This program has been designed to keep work profitable, and in effect to make it necessary. Surely, given such a structure, and given the rampant inflation, we shall have laid to rest doubts and fears about the wisdom of aiding workers. They, above all others, deserve aid, and now more than ever before, it is clear they need it. Workers need not think of themselves as welfare recipients. Instead they will be like so many in the higher income brackets—merely getting tax relief.

The existing multiplicity of welfare programs tends to smother work incen-

tives for multibeneficiaries, by reducing the net gain from work to as low as 25 or 15 cents on the dollar or sometimes zero. But this new plan is rigorously coordinated with remaining programs to insure that beneficiaries can always gain an ample reward for each dollar earned through their own efforts.

The food stamp program would be terminated, but the rebatable tax credits will more than compensate most families and individuals—including beneficiaries of social security, veterans' pensions, and supplemental security income—for their loss.

Federal matching of AFDC would be ended. States would be required to supplement the new Federal cash grants plus tax credits given to families who received AFDC as of December 1976 for a period of at least 2 years if those families otherwise would be worse off under the new system. For AFDC recipients enrolled in the food stamp program, total Federal-State benefit income would have to equal the old AFDC grant plus 80 percent of the food stamp bonus. States could voluntarily supplement new cases and continue to supplement old cases beyond 2 years at their own expense.

Mr. Speaker, there are two schools of thought about welfare reform. To some, welfare reform means far fewer people getting help at far lower cost to the Federal Government. This view—and plans built around it—would be correct if there were fewer poor people than the number of persons getting help from welfare or food stamps today. If the problem, in fact, were that we throw our largesse out to people indiscriminately, then draconian "reform" would be a good thing.

But consider what the problem really is. It is millions of people working full time, year round, and not making enough for their families to get by. These are not chiselers or cheaters or ne'er-do-wells. These are responsible Americans locked into a hopeless struggle to keep afloat. Cutting the rolls will not help them because they are not getting a nickel of aid now.

No, Mr. Speaker, we cannot have it both ways. We cannot extol the virtues of work, crack down on the nonworking welfare recipients, and turn a deaf ear to the needs of the working poor. Who of us here can imagine working all year for the grand sum of \$4,000 gross—less \$234 in social security and less about \$750 in work expenses?

Putting up the money to match our words is what real welfare and tax reform is all about.

I urge my colleagues to study this plan. I urge them further to read the background documents on which it is based—the series studies in public welfare, published by the subcommittee on fiscal policy of the Joint Economic Committee, chaired by former Representative Martha W. Griffiths, who first introduced this program in the last Congress.

Before we throw billions of dollars away on permanent tax cuts that lead us nowhere, remember that these cuts can be structured in a way that moves toward overhaul of public welfare programs. The

Tax Credits and Allowances Act of 1975 gives us both permanent tax relief and welfare overhaul. Both are badly needed.

### PANAMA CANAL PROBLEM: THE KEY ISSUES

The SPEAKER pro tempore (Mr. McFALL). Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood), is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, in the course of my work on the interoceanic canal problem, I have testified a number of times before committees of the Congress, among them subcommittees of the House Committees on Appropriations, Foreign Affairs and Merchant Marine and Fisheries.

One of the lessons learned from this experience is the necessity for the Congress and the Nation to have a brief and simple statement on the major canal issues. My testimony on April 22, 1975, before the Panama Canal Subcommittee was directed toward this end.

To make that statement readily available to the Congress, I quote it as part of my remarks:

#### STATEMENT OF HON. DANIEL J. FLOOD

Mr. Chairman and Members of the Subcommittee: As a long time student of interoceanic Canal History and problems, I am glad to testify again before this subcommittee. During my last appearance on December 6, 1971, in hearings concerning the effect on canal operations that a proposed new Panama Canal treaty then being negotiated would have on the efficiency of the enterprise, I submitted a detailed historical narrative. There is little of significance that could be added to what was stated or provided in the way of documents on that and previous occasions.

Among the positive results of the 1971-72 hearings by this Subcommittee was the summary of its work as embodied in the January 2, 1973, report of the Committee on Merchant Marine and Fisheries to the House of Representatives concerning the Committee's activities during the 92d Congress. Especially notable were its statement on major Panama Canal issues which, I believe, is the first in Congressional history.

As set forth in the report these issues are: First, the transcendent one of retaining the undiluted sovereign control by the United States over the indispensably necessary protective frame for the Canal known as the Canal Zone; and

Second, the major increase of capacity and operational improvement of the existing Canal under the Terminal Lake-Third Locks Plan.

I concur with the 1973 committee report that all other canal questions, however important, including the highly propagandized old idea of a so-called sea level canal, are "irrelevant" and should not be allowed to confuse the crucial issues of Canal Zone sovereignty and major modernization. (H. Rept. No. 92-1629, p. 36.)

These two aspects of the canal problem, sovereignty over the Canal Zone and major modernization of the Canal, are so closely related that they cannot and should not be separated. History shows that the people of the United States and their Congress will not approve expending the necessarily large sums involved for major modernization in an Isthmian area not under the sovereign control of the United States. In that land of endemic revolution and endless political in-

stability only full sovereign control provide the authority and flexibility essential for the efficient maintenance, operation, sanitation, protection and major modernization of the Canal. Any other arrangement, however well intended, would place the United States in the position of having grave responsibility without authority, which is unthinkable. Moreover, it would constitute a "calamitous misjudgment" of the real situation.

Measures to clarify and reaffirm United States sovereignty over the Canal Zone and to authorize the long overdue major modernization are now pending in the Congress. In connection with the latter, I would repeat what has been stated on many other occasions that no treaty is required for such "expansion and new construction." (*Congressional Record*, July 24, 1939, p. 9834.)

The initial major modernization project was authorized in 1939 but suspended in 1942 after the expenditure of \$76,357,405. When to this sum are added some \$95,000,000 spent on the widening of Gaillard cut from 300 feet to 500 feet completed in 1970 the total already spent toward major modernization is more than \$171,000,000. My information is that Gaillard Cut enlargement will continue, which is a step in the right direction.

The work accomplished in 1940-42 includes huge lock site excavation for larger locks at Gatun and Miraflores, a railroad-vehicular bridge across the Miraflores locks for construction purposes, and a new bed for the Panama Railroad near Gatun. All of this construction is usable when work on major modernization is resumed.

Ever since first studying the proposals for increased canal transit facilities, I have been impressed by the strong support that the Terminal Lake-Third Locks Plan has received from well informed engineers, geologists, economists and other experts, including active Panama Canal pilots. They hold that this plan offers the best solution when the problem is evaluated from all significant angles. Moreover, it will enable the maximum utilization of all work so far accomplished in improving the Canal and without treaty involvement.

The latest development as regards the type of canal was a telegram on April 8, 1975 by ten environmental organizations to the President in opposition to any treaty authorizing the construction of a new canal of "sea level" design and urging the President to instruct the Secretary of State to cease all negotiations for a "sea level" provision as part of a new canal treaty. This telegram emphasizes that major modernization of the existing canal would preserve the fresh water barrier of Gatun Lake and thus continue to protect the two oceans from marine ecosystem hazards involved in a "sea level" undertaking.

The major canal modernization project as provided in the pending bills will supply the best operational canal practicable of achievement with every assurance of success at least cost, benefit all users of the canal, revitalize the Isthmus with enormous benefits to Panama, help employment in the United States, and remove the fog of confusion that has for so long hovered over the Panama Canal.

In lieu of further comments, I include the following documents with the request that they be made parts of my testimony:

Daniel J. Flood, "Projected Surrender of U.S. Canal Zone Calls for National Crusade," Address before the V.F.W., Washington, D.C., March 9, 1975.

Committee for Continued U.S. Control of the Panama Canal, "Sovereignty and Modernization Memorial to the Congress, 1975 with H. Res. 75, and H.R. 198, 94th Congress attached.

Dr. James P. Lucier, "Panama Canal: Focus of Power Politics," *Strategic Review* (Spring 1974), p. 34-43.

John W. Grandy et al. Telegram to the President. April 8, 1975.

Captain W. H. Vantine, Letter of October 25, 1973, forwarding resolution of Panama Canal Pilots Association on Panama Canal Major Modernization.

### CORRIDOR HOLDS PROMISE FOR FUTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 30 minutes.

Mr. ALEXANDER. Mr. Speaker, last week Secretary of Transportation Coleman urged that we expedite our efforts to make our Nation's system of railroads viable again, calling for establishment of a national railroad policy.

I commend the Secretary for this stand, one that is long overdue on the part of Department of Transportation officials. But I would urge that he go a step further and work toward the establishment of an overall national transportation policy which will make the most efficient use of all modes of transportation.

The April edition of the American Road Builder cites one proposal for a multi-State, multimode transportation route which I believe has great merit and is compatible with efforts to formulate a national policy on transportation.

This Missouri to Georgia multi-State corridor will fill vast gaps existing in our interstate and national defense highway system. The proposed corridor would enhance national efforts to create an efficient, multimodal transportation system using interstate highways, railroads, barge lines, and air freight. It would provide benefits to consumers throughout the Nation by helping hold down transportation costs on food and manufactured products. It would provide the missing link in our present highway network for moving national defense units as they may be needed.

I would like to share with my colleagues the article relating to this proposed transportation route, one which DOT, to this point, has rejected because, in their opinion, it would not be a "unique" addition to our transportation network.

#### CORRIDOR HOLDS PROMISE FOR FUTURE

Among the routes proposed, but not funded under the Interstate Highway System, was one from Jacksonville, Florida through Columbus, Georgia; Birmingham, Alabama; and Memphis, Tennessee to Kansas City, Missouri. This corridor lacks adequate transportation routes and has not experienced the prosperity that the Interstate System has brought to other parts of the Nation. In recent years, it has been the subject of several studies for improved highway facilities. In addition to several state and regional studies proposing a four-lane limited access highway in this corridor, two studies are especially significant.

A study conducted for the Ozark Express Route Association concluded that an improved route was needed to assist the economy and provide access to recreational facilities of the Ozark region. It was further concluded that such a route should be a part of a highway facility extending at least from



Kansas City to Birmingham and serving Springfield (Mo.) and Memphis.

A study conducted concurrently for the South Georgia Limited Access Highway Association (SGLAHA) concluded that high-volume high-speed traffic service is needed in Georgia between Brunswick and Columbus, and that in order to be fully effective this service should be provided by a facility built to present Interstate standards along a route extending through Birmingham, and Memphis to Kansas City.

In 1972, the SGLAHA, Ozark and other public interest groups joined forces to promote the implementation of a limited access highway connecting the Southeast with the Midwest. The Multi-State Transportation Corridor Advisory Board was formed of a permanent staff and representatives from the six states involved and several local Chambers of Commerce in the corridor. They were instrumental in establishing cooperation of the U.S. Department of Transportation and the highway and/or transportation departments of the several states to join together in a contract with Wm. S. Pollard Consultants, Inc. of Memphis and Traffic Planning Associates, Inc. of Atlanta to conduct a feasibility study for the transportation corridor.

A parametric study and study design were first completed to summarize and define factors to be analyzed by further study and to outline methods of analysis and a timetable for the feasibility study. The schedule for the feasibility study calls for it to be conducted in five phases; (1) a highway study; (2) a study of trucking, rail, and water transportation; (3) a study of special transportation elements, interface areas, and terminal areas; (4) a study of innovations in transportation; and (5) a study of communications and power production and distribution.

The general objective of the parametric study is to determine parameters and sensitive areas within the six-state study region to be considered in detail in subsequent study of the corridor. Specific objectives of the study are enumerated as follows:

1. Locate and determine the corridor's probable environmental impact on natural preservation, recreation, historic, and urban development areas;
2. Review the relationship between the corridor and existing state and metropolitan transportation plans;
3. Locate barriers to transportation development such as environmentally sensitive areas and restrictive terrain features.
4. Identify existing transportation systems and areas of interaction between various modes;
5. Determine travel patterns within the corridor;
6. Identify and determine the probable impact of the transportation corridor on regional economic and population characteristics;
7. Indicate relative beneficial and detrimental impacts of the transportation corridor in regard to environmental, social, and economic factors.

A limited access highway in this corridor will do far more than replace the existing inadequate highways. It will be a transportation investment with the more far reaching purpose of improving the economic and social structure of the corridor in much the same way as the Appalachian Development Highway Program (See *American Road Builder*, September 1973). A highway in this corridor would provide Kansas City and other inland cities a direct route to a Southeastern port; the grain producing areas of the Midwest would be linked to the livestock producing areas of the Southeast; and urban

areas along the corridor would be provided better access to recreational areas of the Ozarks and southern Appalachians.

In addition to providing improved highway access for the twenty million residents of the study region, the highway will be designed as but one element of a unified transportation system in which many transportation modes are coordinated. Along the entire route the highway will provide access to rail terminals, motor freight terminals, airports, ports on the inland waterway system, pipeline terminals, and utility terminals. Joint use of right-of-way by various transportation modes is to be considered throughout the planning of the transportation route.

#### HIGHWAY CORRIDOR ANALYSIS

The Highway Corridor Study, recently submitted to FHWA for their review, narrowed the one-hundred-mile-wide study corridor by selecting what, at this time, appear to be the most feasible routes for more detailed study. Characteristics of the region, transportation systems and service in the corridor, existing plans for route improvement, and route improvement standards, costs, and impact were used in the determination of the alternative routes.

Nearly 20 million people, or 10% of the Nation's population, live in the six-state study region. Six million live in the one-hundred-mile-wide by twelve-hundred-mile-long study corridor. This region suffers economic retardation as shown by a personal per capita income some \$800 below the national average. A net outmigration from the region between 1960 and 1970 also reflects this retardation.

Mineral, agricultural, forest, and labor resources throughout the study region, together with improved transportation to the distribution centers of Kansas City, Memphis, and Birmingham, could spur industrial development along the entire corridor. Such development would improve the economy of both rural and urban areas in the study corridor. Improved access to the over twelve million acres of parks, recreation areas, and public forests in the region without damage to their ecological balance or social value would result in improvement of the standard of living throughout the region.

The region is presently served by a system of Interstate highways generally providing service in north-south and northeast-southwest directions. At present the I-16, I-75, and I-24 highway corridor providing service from Savannah to southern Illinois is the only north-south-east highway corridor in the study region. The existing highway system providing service from Brunswick to Kansas City through Columbus, Birmingham, and Memphis is in poor condition and is far from adequate for present volumes. The rail network is fairly extensive and provides moderate service to most areas. The waterway system is generally at right angles to the corridor and offers many opportunities for transportation interface areas.

In conjunction with the parameters for analysis already discussed and the recognized need determined by various state studies, each of the six states in the study region submitted one or more alignments for study. These were assembled into the alternative study routes for the entire corridor. For these routes, two cost estimates were compiled, the first based on AASHTO freeway standards and the second in accordance with each state's 1990 highway plan. The impact of each alternative route was determined in regard to transportation services, land use, environmentally sensitive areas, economic effect and social effect. Public hearings were held in each state along the corridor in which public sentiment appeared to be overwhelmingly in favor of a new limited access highway in the corridor.

Some minor concern was voiced about changes in the life style indigenous to the Ozarks and encroachment on some environmentally sensitive areas.

In terms of user benefits alone, a Brunswick to Kansas City freeway should be considered a good investment. A conservative estimate of savings in operating costs, time costs, and accident costs indicated that 130 to 165 million dollars could be saved during the first year of operation. This would add up to an amount equal to the initial construction cost in less than eleven years based upon user benefits alone. When fuel savings, reductions in accidents and loss of life, and both national and regional developmental and recreational goals achievement are included, the feasibility and necessity are both overwhelmingly established.

#### FUTURE OF THE MULTIMODAL CORRIDOR

The feasibility study for rail, trucking, and water transportation modes is to be done as concurrently as possible with the highway study since the location of the highway will affect interface with these modes. The third phase of the study would concentrate on special modes of transportation such as air and pipeline with primary emphasis on methods for coordinating all modes of transportation and location of areas of interaction among modes. The fourth phase of the study will review and analyze innovations in transportation modes and services which may now be only in development or research stages or on the very threshold of technology. The application of multiple use of right-of-way to existing or new modes of power and communications distribution and production will be reviewed in the final phase of the study.

This corridor may serve not only as the route of economically reliable modes such as the highway and railroad, but as a laboratory for innovative transportation systems and services and controlled urban development. Such practical innovations as the separation of commercial vehicles and private vehicles and improved passenger train service may be tried. More imaginative systems such as a high speed rapid transit system, pneumatic tube for freight or passenger transit, or guideways for automobiles may be tested.

Electrical power plants and distribution lines along the corridor would provide power for development of industrial parks and the implementation of electric powered trains or other modes of transportation utilizing large quantities of electrical energy. Since most of the corridor passes through open land, generous rights-of-way may be reserved to experiment with joint use between various modes of passenger, freight, and utility transportation.

Concepts in urban development such as planned transportation interface areas, planned towns about the interface areas, and planned satellite towns along the corridor route could be combined with a comprehensive transportation system to make the Multi-Mode Multi-State Transportation Corridor one of the important projects of this century.

#### SUPPORT THE EMERGENCY FARM BILL OF 1975

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. FITZHIAN) is recognized for 10 minutes.

Mr. FITZHIAN. Mr. Speaker, I rise today to support the emergency farm bill (H.R. 4296) which adjusts the target prices, loan rates, and purchase levels

on the 1975 crops of corn, wheat, soybeans, upland cotton, and dairy products.

I view this emergency farm bill as a moderate compromise between those who prefer much higher levels of protection and those who prefer little change from the status quo. Both farmers and consumers have a mutual interest in a farm bill which increases production, but provides adequate income for farmers.

This program is designed to insure the farmer the kind of income which will allow him to replace machinery and maximize production of food, thus assuring consumers that food will be reasonably priced and of sufficient quantity and quality to meet present and future needs. Jobs for ruralities and urbanities, as well as American laborers and farmers will be continued and further stimulated by a sensible farm program.

This emergency farm bill establishes loan rates and target prices which serve as an insurance policy but in no way guarantee a profit. The prices of corn and feed grains—\$1.87 loan and \$2.25 target—and on wheat—\$2.50 loan and \$3.10 target—are well below present market prices. These rates will not add to consumer prices, but will give farmers the confidence they need to plant a full crop rather than cut back production, and thus, insure that the American people will have a sufficient supply of foodstuff for our domestic needs.

If the market should decline low enough to activate the new loan rate, then the production of agricultural products will drop, and the supply will become uncertain. Higher prices, therefore, would be an inevitable result of this situation.

The bill also provides for an interest rate on these loans at a level not to exceed cost of the money to the Treasury. At present, the Department of Agriculture charges the farmer 9.4 percent on money loaned against his crops. With the prime rate in steady decline—some banks have lowered the prime rate to 7.5 percent—farmers should not be forced to pay an exorbitant rate of interest. If loans are designed to insure an orderly marketing of grain that will allow the farmer to sell, not at the bottom of the market, but at a more favorable price, then a lower interest rate is absolutely necessary.

Mr. Speaker, most individuals engage in business or commerce not only to cover their costs of production, but also to make a profit. The role of the Federal Government should not be to guarantee high profits for any industry or to become so involved in the private sector as to totally upset the free market system. Yet the Federal Government can and should provide basic insurance for farmers to encourage the high production levels we all recognize as being necessary. The target prices and loan rates now in effect do not provide this insurance. They do not even come close to covering production costs. The changes in target prices and loan rates suggested in the bill passed by the House will help rectify this situation. It must be pointed

out that the bill in no way guarantees profits for farmers. In the case of every agricultural commodity covered by the bill, loan rates run below current market prices. But farmers will accept the risks and produce more, as they have been asked to do, if they have assurances, such as those provided for in this bill, that they will not also be asked to lose their shirts.

The average estimated figures for the cost of production of corn, as computed by the five State universities in the major corn producing States, is \$2.01. The loan rate of \$1.87 is 14 cents below the farmer's cost of producing that bushel of corn. The State universities in the five leading wheat producing States estimate that it costs a wheat farmer \$3.01 per bushel, or some 51 cents more than the loan which this bill provides. Although these loan rates do not cover the cost of production, they go a long way toward providing the minimum protection that farmers need.

Dairy farmers face the same plight as do grain farmers. Last year alone, Minnesota and Wisconsin each lost between 3,000 and 5,000 dairy farmers. Across the Nation 20,000 dairy farmers were forced out of business, and existing conditions threaten that many more dairy farmers will be forced to leave their farms.

The emergency farm bill offers little relief for the American dairy farmer. The milk price supports will remain at 80 percent of parity. I strongly supported the original section in the bill that would have raised the parity level to 85 percent, and voted against the Richmond amendment that struck this section of the bill. At a time of increasing inflation and declining farm prices, the dairy farmer faces a most perplexing economic future. From March to December 1974, the Minnesota-Wisconsin base price fell from \$8.15—85 percent of parity—to \$6.41—67 percent of parity—per hundredweight. The price has since increased slightly, but certainly not enough for many dairy farmers to cover the cost of production.

The cost of production for grain and dairy farmers has risen sharply from 1973 to 1974. The Department of Agriculture estimates that the cost of labor, feed grains, energy, and credit rose 17 percent. Everything that a farmer must purchase has dramatically increased in price. Diesel fuel has jumped nearly 100 percent, fertilizer prices have leaped more than 150 percent, and items like bailer twine, fencing wire, and nails have increased by 275, 122, and 200 percent respectively.

While the cost of production has risen sharply over the past 2 years, the price for raw agricultural products has dropped for the fifth straight month. The farm price index began its slide last November 15. By March 15, the Department of Agriculture reported that the average of all farm prices was 15 percent below a year earlier. The food grains portion of the index, however, was 28 percent below a year earlier. Farm prices on meat animals was 20 percent below the prices of 1 year ago. Soybeans, for example, averaged about \$5.31, a drop

of 41 cents from a month earlier, and 65 cents below mid-March, 1974 prices. Food prices continue to increase, and the prices that farmers have to pay to meet expenses have averaged about 10 percent above March 15, 1974, figures. The continued expansion of the gap between farm prices and the goods and services that farmers and consumers purchase has raised serious questions about the 1975 crop. Farmers cannot continue to be caught in the cycle of soaring production costs and falling farm prices.

In 1974, farmers across this Nation suffered a loss in net income. Cash receipts from farm marketing climbed \$6.5 billion to a record \$95 billion, but the \$10 billion surge in the cost of production more than offset the gain in income. Total personal income of farm people declined last year. Income from farm sources was off almost 20 percent, while nonfarm earnings were up 10 percent. The year 1974 was not a good year for the American farmer. Unless something is done now to alter this disastrous trend, 1975 will not be any better, and could possibly be worse.

As farm prices decline, many farmers are considering the reduction of their acreage. If farmers trim their planting plans for 1975, it could well mean that another spiral of shortages and rising food prices will take place. This is something that both farmers and consumers can ill afford now or in the future.

Mr. Speaker, how much longer must the American farmer endure rapidly increasing costs of production and falling farm prices without some modest assistance from the Federal Government?

As a Nation, can we afford to drive the family farm, the backbone of American agriculture, out of business? Can we afford to allow continued bankruptcies to push the average working farmer off the land? Can we afford to allow the consolidation of family farms and farmland into corporate entities that increase monopolistic practices and potential price fixing with resulting higher prices to the American consumer?

We cannot afford to wait any longer. Action is demanded. We must act now to do what we can to protect the basic interests of farmers across this country. To do less would be to shrink from our responsibilities. I ask only for a policy that is fair and just, a policy that provides equity for the American farmer.

The timing of this bill is very critical. The planting season is upon us. As I travel throughout northwestern Indiana I see many farmers plowing their fields. It is absolutely imperative that farmers know exactly where they stand vis-a-vis target prices and loan rates. They have to make difficult decisions of how many acres to plant and what kinds of crops to plant. Farmers also need lead time to purchase the seed, fertilizer and chemicals that are necessary. Adequate time is a necessary prerequisite for proper planning.

This Congress has worked very hard to get this farm bill through the subcommittees, the full committees and the entire House in time for farmers to plant



this spring. Within a few weeks, the bill will be before the President. I urge him to sign the bill because I believe that it is in the best interests of the farmers, consumers, and the entire Nation. A Presidential veto would only delay the Nation's recovery and raise many uncertainties in the farm community setting off a chain of events that could lead to a decrease in acreage and the upward spiraling of food costs. This is something that farmers, consumers and the Nation must avoid at all costs.

In addition to the present price squeeze that the American farmer finds himself, he is also faced with significant destabilizing influences that greatly affect his ability to compete in the world market. Modern farming requires massive capital investment. Farm debts have been rising at a rapid rate, increasing from \$38 billion in 1965 to \$82 billion last year. Farmers have experienced considerable difficulty in bringing new lands under cultivation and again face the age-old problem of the inadaptability of lands to other crops. To the many uncertainties facing the American farmer, the list of shortages now includes fertilizer, propane gas, and other energy sources.

Foreign trading states, such as the Common Market and the Soviet Union, cause sharp fluctuations in farm prices by subsidizing internal farm prices and dumping products overseas in the World Market. Last year, about 60 percent of our wheat crop, 40 percent of our soybeans, and 20 percent of our feed grains were exported. These farm exports earned \$22 billion, an all-time high. Although the Nation benefits from these foreign sales, farmers are faced with quick shifts in world supplies and demand. The American farmer, I believe, bears the burden of adjusting to the fluctuations of the supply and demand cycle in international agriculture commodities.

While farmers helped us earn a considerable amount of foreign exchange and nearly helped to balance the trade deficit, our Government has asked farmers to produce record crops, to cultivate record acreage, and to export as much as possible, but has not seen fit to provide a fair and equitable price structure that adequately covers the cost of production. The emergency farm bill now under discussion will help rectify this injustice to farmers.

Too often, Mr. Speaker, the debate over the farm bill has degenerated into a conflict between farmer and consumer. The adversary tone of this dialog is frequently construed to mean that the interests of the consumer and the interests of the farmers are somehow different and opposed to one another. Nothing could be further from the truth.

This bill seeks to protect the American farmer as well as the American consumer. We must encourage farmers to produce adequate food supplies at reasonable prices. Every American, whether consumer or farmer, benefits from such a program. As the Consumer Federation of America pointed out on March 14, 1975:

Federal programs to support adequate farm income are as essential to the nation's economic policy as minimum wages. The critical issue is not whether consumers should support farm income policies, but whether such policies are adequately designed and implemented to insure that consumer interests are properly considered and weighed with the interest and need of family farmers.

Both farmers and consumers have a mutual interest in stabilizing prices in an unstable market.

Some opponents of the emergency farm bill suggest that it will have an adverse impact on the consumer. The Agriculture Committee, of which I am a member, reported a bill that called for milk prices at 85 percent of parity. The Department of Agriculture mistakenly reported that milk prices at 85 percent of parity would result in price increases of milk by 8 cents a gallon, cheese by 10 cents a pound, and butter by 20 cents a pound. Using these distorted figures, Congress adopted the Richmond amendment on March 20 which lowered the parity rate to 80 percent. The U.S. Department of Agriculture now frankly admits that its estimates were inaccurate. How significant was the error? How large was the discrepancy? The revised USDA figures are now 4.5 cents a gallon for milk, 5.25 cents a pound for cheese, and 5.3 cents a pound for butter. This represents an error of 77.8 percent on milk, 90.5 percent on cheese, and 277.4 percent on butter. It is incredible that such errors and distorted facts could be presented to the Congress and the American people. Congress too frequently depends on departments and agencies for information, and too frequently finds they are wrong.

The USDA explains its error by stating that its original figures were mistaken because it misread the quarterly adjustment provision of the bill. The USDA originally thought that the support price for manufacturing milk would be set at 80 percent of the parity price for that quarterly adjustment. Actually, the farm bill will adjust the price each quarter according to the change in the cost of production index. The inflationary "family living" component of parity, therefore, should not have been included in the projected cost of milk product.

The USDA has now suggested new projections for all indexes. These new projections show that the consumer impact of a support floor at 85 percent of parity would actually be less than they had previously estimated for 80 percent of parity. The impact of 80 percent of parity on consumer prices would be negligible—an increase on only 1.1 cent per gallon for milk—or one-quarter of a cent per quart—1.3 cents per pound of cheese and 1.3 cents per pound of butter. These price increases are less than 1 percent, and are well below the double-digit inflation that plagued the Nation for the last 2 years.

The impact of 80 percent parity on the American dairy farmer may be devastating. Instead of a modest increase in the price of milk products, the dairy farmer faces economic uncertainty and possible

disaster if the hundredweight of milk increases only from \$7.24 to \$7.31, as the USDA now projects. The farmers that need the most immediate assistance will get very little or no help from this legislation.

The USDA mistaken figures were first discovered, not by the executive branch or the USDA, not by my distinguished colleagues in the Democratic Party or consumer advocate groups, but by a distinguished Republican colleague from Vermont, JAMES M. JEFFORDS. His dedication and persistent hard work discovered the glaring errors that existed in the USDA reports. The Congress owes JAMES JEFFORDS a debt of gratitude.

Opponents of farm legislation over the years have attempted to pit farmer against consumer. As a Congressman who represents urban, suburban, and rural areas, I have had an opportunity to meet thousands of my constituents who represent these different sectors of the economy. The farmland of America must flourish and produce if people in the suburbs and urban areas are going to eat and survive. Some of my urban colleagues from the Northeast do not understand that everyone, including farmers, must have a decent income and a decent standard of living. At a time when the Congress is taking several steps toward providing additional jobs and unemployment compensation for urban workers, can we afford to forget about the American farmer. Can we afford to do less for the farmer than for the average working family.

Mr. Speaker, I was born and raised in a rural farming community during the Great Depression. I saw firsthand how farmers were driven from the land, forced out of their homes, and reduced to subsistence living. We must never return to those disastrous days. I chose to live on a farm because I deeply believe that it is the best place to raise a family, to teach them to great values of the American way of life, to instill in them an appreciation of the free enterprise system, and to give us all a deeper appreciation of the earth that God put us on.

As I look around the Second District of Indiana, I see many disturbing things in the agricultural arena. I see farmers leaving the land. I see the rapid consolidation of family farms into corporate agriculture. I see young farmers going out of business and leaving the rural community. These things I see, but do not like. We can and we must do more for the family farmers.

We must take whatever steps are necessary to prevent the collapse of American agriculture similar to that which took place at the beginning of the Great Depression in the 1930's. When farmers go broke and are forced off the land, merchants who sell to them also go out of business. In turn manufacturers, who sell to merchants, cut back production and lay off workers. The whole downward spiral can start from any sector of the economy. But agriculture is so basic, so primary, and so central, that it is the keystone of the arch in our Nation's economy.

Mr. Speaker, all Americans, including farmers are consumers. Farmers buy food, clothing, automobiles, and other products as do other Americans. They are forced to pay high prices in the marketplace as is the American consumer. Farmers know what it is like to go into a supermarket and purchase food at inflated prices. These high prices in the grocery stores and chain stores are not the result of farm prices. Farm prices are declining, but food costs are rising. A farmer from my district recently raised a provocative question: "If farmers can't afford to produce and consumers can't afford to buy, who is ripping off both the farmer and the consumer?"

Mr. Speaker, the plain truth is that the middleman—the food processors and the giant food chains—are piling up huge profits at the expense of the American farmer and consumer. The time has come to initiate a full-scale congressional investigation of the food processing and distribution system of this Nation, and to carefully examine the soaring profits of chain grocery stores.

We need to look into the activities of conglomerates and multinational corporations that have become involved in agriculture. We need to analyze the extent to which food chains and other distributors of food products have bought into the food producing end of the business—buying dairy farms, vegetable truck farms, cattle ranches, and grain producing farms. The farmer is forced to sell his product to the giant output industries that process, market, and retail foodstuffs. The individual farmer is almost powerless when faced with large corporations that monopolize the food industries.

While the farmer is confronted with giant corporations that control the output industries, he is also facing monopolized conglomerates that control the input industries. These input industries control the farmer's supply of capital, machinery, pesticides, seed and feed, and fertilizers, and other energy-related products. The family farmer is particularly feeling the pinch of fuel costs that have doubled and fertilizer costs that have tripled in the last year. The time has come for the Congress to fully investigate oil pricing and the distribution of oil products and their effects on American agriculture. We need to look into possible anti-trust violations in both the input and output industries, and determine if the farmer and the consumer are getting "ripped off."

For years farmers, consumers, and politicians have talked about investigating the input and output industries that dominate American agriculture and have talked the proposals to death. Since the administration and the Justice Department have not taken the initiative in this area, I urge the Congress to act immediately to investigate these matters. But an investigation is only the first step in coming to grips with these problems. The Congress must rededicate itself to the proposition that it is going to put its shoulder to the wheel and come forth with some meaningful legislation this year to alleviate the price gouging by food processors and chain stores.

This emergency farm bill is but a tiny

step in the direction of securing equity and fairness for the American farmer and consumer. It is, however, a step that must be taken to restore confidence in the farm community, to provide increased target prices and loan rates, to partially meet the rising costs of production, to guarantee that adequate food supplies will be produced, and to assure that the consumer has food at reasonable prices. Once this step is taken to meet the emergency situation, then it is time for Congress to investigate the twin problems caused by the monopolistic control of the input and output industries, and arrive at some much-needed legislation that would benefit the farmer and the consumer.

#### REPEAL OF "FAIR TRADE" EXEMPTIONS APRIL 28, 1975

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, I was delighted to see President Ford reiterate his support this week for repeal of the so-called fair trade exemptions to our Federal antitrust laws. Here is an issue, I think, on which a Democratic Congress and a Republican President can happily agree.

It has been estimated conservatively that these laws, which sanction price fixing, cost the consumers of this country at least \$2.5 billion a year. I believe that the simplest and most effective action we in the Congress could take to combat inflation would be to repeal the Miller-Tydings and McGuire Acts, which exempt State fair trade laws from the prohibitions of the Sherman Act and the Federal Trade Commission Act.

Repeal of Miller-Tydings and McGuire has strong bipartisan support. Bills have been introduced to repeal these laws by members of both parties in the Monopolies and Commercial Law Subcommittee of the Judiciary Committee.

The subcommittee has moved rapidly in this area. We have completed hearings already and hope to mark up the bill before mid-May. Early action by the full committee should follow.

The Senate is moving on a parallel track, again with bipartisan support.

The Congress is not alone in rejecting these inflationary laws. At their high-water mark, fair trade laws prevailed in 45 States. Now the figure is close to 30, and an accurate count is difficult to maintain as more legislatures act each month. New York recently repealed its law, and I am happy that in my own State of New Jersey the assembly passed repealing legislation overwhelmingly on April 17.

As Senator BROOKE, the principal sponsor of repeal in the other body, has said:

Repeal of our fair trade laws is not a panacea for our economic ills, but it is a start, a needed start.

#### MONTHLY LIST OF GAO REPORTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BROOKS) is recognized for 5 minutes.

Mr. BROOKS. Mr. Speaker, the

monthly list of GAO reports includes summaries of reports which were prepared by the staff of the General Accounting Office. The April 1975 list includes:

Improved Procedures Needed for Implementing Safety Recommendations, RED-75-334.

Assistance to the Nonrubber Footwear Industry, ID-75-36.

Audit of United States Railway Association, February 1 through June 30, 1974, RED-75-341.

Weakness in Administration of the Program to Correct Defects in Housing Insured Under the Section 235 Program, RED-75-340.

Examination of Financial Statements of the Pennsylvania Avenue Development Corporation for the Fiscal Year Ended June 30, 1974, FOD-75-13.

Data-Reporting Requirements for State and Local Educational Agencies, MWD-75-28.

Substantial Improvements Needed in Work Incentive Program, Atlanta, Georgia, MWD-74-161.

Assessment of the Work Incentive Program in Washington State, MWD-74-152.

From Welfare to Self-Sufficiency: An Assessment of the Work Incentive Program in Wayne County, Michigan, MWD-75-24.

Problems in the Work Incentive Program in Los Angeles and San Diego, MWD-75-24.

Slow Implementation of the Work Incentive Program in New York City, MWD-75-41.

Forecast of Postal Service Self-Sufficiency Potential, GGD-75-58.

Acquisition of a Building in Laguna Niguel, California in Exchange for Government-Owned Properties, LCD-75-314.

States Need, But Are Not Getting, Full Information on Federal Financial Assistance Received, GGD-75-55.

Stockpile Objectives of Strategic and Critical Materials Should Be Reconsidered Because of Shortages, LCD-74-440.

General Services Administration's Methods for Computing Rent for Federally Occupied Buildings Need Further Improvement, LCD-75-323.

How To Improve Administration of the Federal Employees' Compensation Benefits Program, MWD-75-23.

Executive Branch Action on Recommendations of the Commission on Government Procurement, PSAD-75-61.

Opportunities for Improving Computer Use in the Bureau of the Mint, FGMSD-75-19.

Savings Expected From Better Use of Truck Warranties by Government Agencies, PSAD-75-64.

What Is Being Done About Individuals Who Fail To File a District Income Tax Return? GGD-75-8.

Progress and Problems in Implementing the Intergovernmental Personnel Act of 1970, FPCD-75-85.

Mandatory Tax Withholding Recommended for Agricultural Employees, GGD-75-53.

Services for Special Beneficiaries: Costs Not Being Recovered, GGD-75-72.

Excluding Substandard Canned Pineapple From the United States, MWD-75-40.

Food and Drug Administration's Investigation of Defective Cardiac Pacemakers Recalled by the General Electric Company, MWD-75-71.

Many Medicare and Medicaid Nursing Homes Do Not Meet Federal Fire Safety Requirements, MWD-75-46.

Information on United States Ocean Interests Together With Positions and Results of Law of the Sea Conference at Caracas, ID-75-46.

Export of U.S.-Manufactured Aircraft—Financing and Competitiveness, ID-75-41.

Holiday Administration Overseas: Improvements Needed To Achieve More Equitable Treatment of Employees, ID-75-42.

Proposals to Strengthen the Foreign Gifts and Decorations Act of 1966, ID-75-71.

Improving Productivity Through Better



Management of Maintenance Operations in Europe, LCD-75-401.

Readiness of Navy Air and Surface Units for Antisubmarine Warfare, LCD-74-429.

Number and Legality of Military Officers Holding Certain Key Department of Defense Posts, FPCD-75-143.

Need to Eliminate Incentive for Accumulating Military Leave, FPCD-75-139.

Opportunity for Improving Computerized Civilian Payroll Processing Operations, FGMSD-75-15.

How to Improve the Selected Acquisition Reporting System, PSAD-75-63.

Impact of the All-Volunteer Army on Discipline, Troop Training, and Personnel Use of Fort Campbell, Kentucky, FPCD-75-104.

Effectiveness of the Financial Disclosure System for Employees of the U.S. Geological Survey, FPCD-75-131.

National Attempts to Reduce Losses from Floods by Planning for and Controlling the Uses of Flood-Prone Lands, RED-75-327.

Problems in Identifying, Developing, and Using Geothermal Resources, RED-75-330.

Outlook for Federal Goals to Accelerate Leasing of Oil and Gas Resources on the Outer Continental Shelf, RED-75-343.

Cleaning up the Great Lakes: United States and Canada Are Making Progress in Controlling Pollution from Cities and Towns, RED-75-338.

Examination of Financial Statements of the Tennessee Valley Authority for Fiscal Year 1974, FOD-75-11.

Additionally, letter reports are summarized including:

Notification of Intent to the Comptroller General to file a law suit for release of over \$1.2 billion of budget rescissions required to be released under the Impoundment Control Act of 1974, ACG-75-15.

Release of \$1.2 billion of budget authority withheld by deferrals which were disapproved by the Congress, or proposed for rescission but required to be released, ACG-75-16.

Rescission of Office of Education budget authority, which the President did not report to the Congress as required by the Impoundment Control Act, ACG-75-17.

Controls and procedures used by executive branch agencies to insure that the legislative dollar ceiling for Cambodia is not exceeded, ID-75-54.

Inconsistent accounting procedures by Department of Defense caused \$21.5 million error in military assistance to Cambodia, ID-75-59.

Department of Defense procedures for accumulating cost information on the Military Assistance Service funded (MASF) program in support of the South Vietnamese Government, LCD-75-410.

Can the economic impact of Defense and other Government spending be analyzed? PSAD-75-42.

Corps of Engineers' acquisition of Minisink Island properties at the Tocks Island Lake project in New Jersey, RED-75-331.

GAO comments on allegations by Gordon Rule concerning the Navy's contract to build the Trident submarine, B-178056.

Department of Defense actions to conserve petroleum, LCD-75-430.

NASA expenditures for public affairs activities, LCD-74-417.

Progress by the Federal Trade Commission in improving the Line-of-Business report, OSP-75-9.

Improvements needed in the Navy Aviation Supply Office's automated system for computing procurement requirements for repairable aviation items, LCD-75-423.

Significant problems in the Office of Education's financial management information system, MWD-75-69.

Examination of financial statements of the Southeastern Federal Power Program for fiscal year 1974, RED-75-335.

Excess personnel costs of \$17 million annually because Military Airlift Command aerial ports are staffed to provide wartime

strategic airlift capability rather than to meet current peacetime workloads, LCD-75-110.

Need for military departments to periodically reevaluate communications requirements to identify changes in equipment needs and, when needed, reallocate equipment or adjust contract requirements, LCD-75-110.

The Army's enlisted personnel assignment and distribution system, FPCD-75-130.

Better supply of spare parts needed to realize benefits of modular design concept of aircraft electronic equipment, LCD-75-429.

Navy's planned procurement of aircraft not consistent with Secretary of Defense's decision to consolidate all tactical support missions within the Air Force, LCD-75-434.

The Monthly List of GAO Reports and/or copies of the full texts are available from the U.S. General Accounting Office, room 4522, 441 G Street NW., Washington, D.C. 20548. Phone (202) 386-6594.

#### A TRIBUTE TO LOUIS JORDAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mrs. BURKE) is recognized for 5 minutes.

Mrs. BURKE of California. Mr. Speaker, in these troubled times, it is often refreshing to remember those who brightened our lives through the gift of self. Louis Jordan of "Tympany Five" fame was such a giver and made many outstanding contributions to the national spirit through his work as an entertainer. Sunday, April 27, 1975, many of those friends who joyed in Louis Jordan's life and his gifts of music, humor, love and wit honored his memory with a "Tribute" in Los Angeles.

Moving to Los Angeles in the 1960's, Louis Jordan brought his special blend of musical magic to our community and expanded his giving. Already noted in many quarters as the "father" of the story-to-music art form in the jazz idiom, Louis went on to become one of our foremost musical ambassadors. In this capacity, he traveled extensively throughout Europe and Asia performing for foreign dignitaries and American military forces.

We lost Louis Jordan last February in his 66th year, but his musical imprint, his life impact, remains to delight our ear and excite warm feelings of nostalgia. The years he gave America were nationally important ones. The music he composed and played is regularly heard and will continue to bring pleasure to all of us.

I urge my colleagues to pause a moment and reflect with me on the wealth of this man's gifts and the joys he brought the world.

#### ONE HUNDRED AND NINE CONGRESSMEN ASK FOR AUDIT OF THE FEDERAL RESERVE SYSTEM AND STILL DR. ARTHUR BURNS REFUSES TO APPEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 10 minutes.

Mr. PATMAN. Mr. Speaker, the Domestic Monetary Policy Subcommittee has been conducting hearings on H.R. 4316 and companion bills to require a

GAO audit of the Federal Reserve System. This would be the first full-scale audit of the entire Federal Reserve System since it began operations in 1914.

The need for this audit becomes crystal clear when one looks at the skyrocketing operating expenses of the Federal Reserve System in recent years. This super-secret and vitally important agency has spent \$6,461,414,578 to operate since 1914. But \$2,154,373,386 of this sum—or 33 percent—has been spent just since 1970, the year Dr. Arthur Burns took over as Chairman of the Board of Governors.

Mr. Speaker, I am sure many Members of this Congress would like to know the reason behind this increase. This was, after all, the period when Dr. Burns was on the front pages regularly decrying inflation and defending tight monetary policies as the only way to cure inflation. Surely, if inflation was our problem, the operating expenses of the Federal Reserve System should have been trimmed, not allowed to mushroom.

Mr. Speaker, 109 Members of the House are cosponsoring this legislation to find out more about this secretive bureaucracy.

And yet our ability to learn the reasons behind this fantastic increase is being hampered by the same arrogant tendencies Dr. Burns has always used when Congress gets too close to what he considers his prerogatives. After 4 weeks of negotiations and several exchanges of correspondence Dr. Burns is still refusing to testify as a witness on H.R. 4316.

This just cannot be allowed to go on. The arrogance of this agency is based on its unique funding system. The Federal Reserve System holds U.S. Government securities in its Open Market Committee in New York—at present, \$86 billion worth—on which the U.S. Treasury pays the Federal Reserve interest on bonds which have already been paid at once. The Federal Reserve System takes its operating expenses out of this interest and then sends the excess to the Treasury. No budget is submitted to the Congress for authorization and appropriation. No one from the General Accounting Office is allowed to check the books. Congress has to practically get down on its hands and knees to get even a morsel of information—and that only what Dr. Burns approves of.

Mr. Speaker, in all the years the Federal Reserve System has been operating, it has taken in \$41,757,146,741 in interest from the U.S. Treasury. \$20,430,848,929—or 49 percent of that—has been taken in since Dr. Burns began his term as Chairman. One has to wonder if the sight of all that unaudited money did not weaken some budgetary restraints in the mind of the Nation's so-called No. 1 inflation fighter.

All of this makes it that much more important that we get an audit of this agency. Unfortunately, to date, Dr. Burns has refused to cooperate with our subcommittee and appear on the bill to provide for an audit and without this legislation we will never have an accurate assessment of just how and why these expenses have increased so much.

Mr. Speaker, I place in the RECORD a chart detailing the figures I have mentioned here:

BONDS HELD IN OPEN MARKET COMMITTEE; NET EARNINGS ON BONDS BEFORE PAYMENTS TO U.S. TREASURY; OPERATING EXPENSES OF ALL FEDERAL RESERVE BANKS; DOLLAR AND PERCENTAGE COMPARISONS OF EXPENSES WITH PREVIOUS YEARS; 1914-74

Year	Bonds held in open market committee	Net earnings before payments to U.S. Treasury	Operating expenses	Expenses—Comparison with previous year dollar	Percentage	Year	Bonds held in open market committee	Net earnings before payments to U.S. Treasury	Operating expenses	Expenses—Comparison with previous year dollar	Percentage
1914-15	\$16,000,000	-\$141,459	\$2,320,586	—\$46,687	-2.01	1946	23,350,000,000	92,523,935	57,235,107	+8,517,836	+17.48
1916	55,000,000	2,750,998	2,273,999	+5,798,806	+126.9	1947	22,559,000,000	95,235,592	65,392,975	+8,157,868	+14.25
1917	122,000,000	9,582,667	5,159,727	+2,885,728	+112.41	1948	23,333,000,000	197,132,683	72,710,188	+7,317,213	+11.19
1918	239,000,000	52,716,310	10,959,533	+8,380,100	+76.46	1949	18,855,000,000	226,936,980	77,477,676	+4,767,488	+6.56
1919	300,000,000	78,367,504	19,339,633	+8,181,397	+46.11	1950	20,778,000,000	231,561,340	80,571,771	+3,094,101	+3.99
1920	287,000,000	149,294,774	28,258,030	+8,205,815	+21.96	1951	23,691,000,000	297,059,097	95,469,086	+14,897,315	+18.49
1921	234,000,000	82,087,225	34,463,845	-4,904,796	-14.23	1952	24,917,000,000	352,950,157	104,694,091	+9,225,029	+9.66
1922	436,000,000	16,497,736	29,559,049	+205,124	+0.69	1953	25,916,000,000	352,950,157	113,515,020	+8,820,929	+8.43
1923	134,000,000	12,711,286	29,764,173	-1,333,047	-4.4	1954	24,785,000,000	328,619,468	109,732,931	-3,752,089	-3.30
1924	540,000,000	3,718,180	28,431,126	-902,963	-3.18	1955	24,915,000,000	474,443,160	121,182,496	+11,122,473	+10.11
1925	375,000,000	9,449,066	27,528,163	-177,981	-0.65	1956	24,238,000,000	624,392,613	131,814,003	+10,631,507	+8.77
1926	315,000,000	16,611,745	27,350,182	+168,231	+0.62	1957	26,347,000,000	604,470,670	137,721,655	+5,907,652	+4.48
1927	617,000,000	13,408,249	27,518,443	-613,633	-2.23	1958	26,648,000,000	839,770,663	144,702,706	+6,981,051	+5.07
1928	228,000,000	32,122,021	26,904,810	+2,786,303	+10.36	1959	26,347,000,000	839,770,663	144,702,706	+9,179,569	+6.34
1929	511,000,000	36,402,741	29,691,113	-1,348,387	-4.54	1960	27,384,000,000	963,377,684	153,882,275	+7,392,300	+4.80
1930	729,000,000	7,988,182	28,342,726	-1,302,062	-4.59	1961	28,881,000,000	783,855,223	161,274,575	+11,137,223	+6.32
1931	817,000,000	2,972,066	27,040,664	-749,283	-2.77	1962	30,820,000,000	872,316,422	176,136,134	+14,861,559	+9.22
1932	1,855,000,000	22,314,244	26,291,381	+2,931,456	+11.15	1963	33,593,000,000	964,461,538	187,273,357	+10,122,532	+5.41
1933	2,437,000,000	7,957,407	29,222,837	+18,559	+0.06	1964	40,768,000,000	1,147,077,362	197,395,889	+6,894,297	+3.49
1934	2,430,000,000	15,231,409	29,241,396	+2,336,047	+7.99	1965	44,282,000,000	1,702,095,000	207,401,126	+3,110,940	+1.52
1935	2,431,000,000	9,437,758	31,577,443	-1,703,420	-5.39	1966	49,112,000,000	1,972,376,782	220,120,846	+12,719,720	+6.13
1936	2,430,000,000	8,512,433	29,874,023	-1,073,409	-3.59	1967	52,937,000,000	2,530,615,569	242,350,370	+22,229,524	+10.10
1937	2,564,000,000	10,801,247	28,800,614	+1,100,986	+3.9	1968	57,154,000,000	3,097,829,686	274,290,000	+32,622,950	+13.46
1938	2,564,000,000	9,581,954	28,911,600	-264,745	-0.92	1969	57,937,000,000	3,440,451,196	321,373,386	+46,000,000	+17
1939	2,484,000,000	12,243,365	28,646,855	+518,622	+1.81	1970	62,142,000,000	3,328,112,382	415,000,000	+37,000,000	+10
1940	2,184,000,000	25,860,025	29,165,477	+3,797,673	+13.02	1971	76,000,000,000	4,446,998,464	495,000,000	+81,000,000	+19.56
1941	2,254,000,000	9,137,581	32,963,150	+5,560,894	+17.17	1972	76,000,000,000	4,446,998,464	495,000,000	+52,000,000	+10
1942	6,189,000,000	12,470,451	38,624,044	+4,921,502	+12.74	1973	81,059,000,000	5,654,000,000	547,000,000		
1943	11,543,000,000	49,528,433	43,545,564	+5,630,357	+12.93	1974					
1944	18,846,000,000	58,437,788	49,175,921	-458,650	-0.93	Total		41,757,146,741	6,461,414,578		
1945	24,262,000,000	92,662,268	48,717,271								

Net earnings before payments to U.S. Treasury—total 1914-1974, \$41,757,146,741.

1970-1974 total net earnings before payments to U.S. Treasury, \$20,430,848,929.

49% of the net earnings before payments to U.S. Treasury since 1914 have occurred since 1970.

Total operating expenses, 1914-1974, \$6,461,414,578.

1970-1974 total operating expenses, \$2,154,373,386.

33% of all the operating expenses since 1914 have occurred since 1970.

### PETROLEUM RESERVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. METCALFE) is recognized for 5 minutes.

Mr. METCALFE. Mr. Speaker, this week we will be asked to vote on H.R. 49, a bill which would authorize the Secretary of the Interior to establish national petroleum reserves. The bill would accomplish more than that. According to House Report 94-81, part 2—

The thrust of the language in that Report (House Report 94-81, Part 1) . . . makes it evident that the real purpose of H.R. 49 is to break through the protection afforded Naval Petroleum Reserves 1 and 3 and open them for commercial exploitation with little apparent regard for national security consideration.

Because of the far-reaching ramifications of this legislation, I would like to call my colleagues' attention to an article in the April 26, 1975, issue of the Nation.

The article follows:

#### STANDARD OIL KEEPS POPPING UP—ELK HILLS RIP-OFF

(By George L. Baker)

WASHINGTON.—A lot of strange things are happening in the name of Operation Independence, the attempt to make the United States self-sufficient in energy by 1985. And one of the oldest is a plan to tap four petroleum reserves held in trust by the Navy since the 1920s.

It is natural enough for interest to focus on the reserves, particularly on Elk Hills in California and Pet 4 in Alaska. Elk Hills contains a minimum of 1.3 billion barrels of oil, all ready to be pumped out with a minimum effort or expense. Pet 4, 23 million acres, contains 10 to 33 billion barrels of oil. If the estimate is accurate, this field would dwarf the commercial Prudhoe Bay, lying directly east of Pet 4. The Navy's two other reserves, Teapot Dome in Wyoming and Buena Vista close to Elk Hills, hold too little oil to warrant such excitement.

Last year, at the height of the Arab embargo, Congress was all set to turn the reserves over to the oil companies to do with as they saw fit. The move failed because of the intransigence of the House Armed Services Committee, which passionately resists anything that faintly smacks of an attack on national defense. When they found their way blocked in one committee, proponents of exploiting the reserves conceived an end run. Why not transfer control of the reserves from the Navy to the oil-industry-dominated Interior Department?

Brushing aside warnings that a similar transfer in the 1920s had precipitated the infamous Teapot Dome scandal, the pliable House Interior Committee a few weeks ago reported out a bill so weak and carelessly drawn that it would give the Interior Secretary virtual *carte blanche* to decide how oil companies might make one of the richest land grabs in memory. Reposing control of the reserves in Interior would certainly assure production, for the department has one function—to give away the nation's natural resources—and it performs that admirably.

Yet, laudable as is the goal of increased domestic oil production, tapping the reserves for the purpose raises disturbing questions, some of which have hardly been given thorough scrutiny. For instance, given its record, how would the Interior Department structure bids to produce from Elk Hills? The normal government royalty for an unexplored field is from 10 to 16 per cent of the wellhead price of crude. But at Elk Hills the oil is spotted and ready to be produced. Navy witnesses testified that it costs less than \$1 to produce a barrel of that oil, which can be sold by commercial oil companies for at least \$10. How would Interior recapture what obviously is a huge public benefit? Various off-

icals of Interior have said the department would ask for competitive bidding, but that doesn't mean much in the oil industry. Further, the bill, which is likely to be enacted soon, gives no guidelines as to how the bidding should be done.

Indeed, would Interior be able to get any competitive bids? There is a great deal of evidence to show that the major oil companies in California, led by the San Francisco-based Standard Oil Co., would continue to maintain their stranglehold on the access to and price of oil. Congress has paid scant attention to possible violations of antitrust law by some of the companies that would be either producing or purchasing oil from Elk Hills. The investigation, begun in 1970 by the U.S. Department of Justice, has only lately been revived after a dormant period that coincided with John Mitchell's reign. But those who are pushing for production at Elk Hills—including several otherwise knowledgeable Congressmen, such as Reps. John Melcher (D., Mont.) and Alphonzo Bell (R., Calif.) profess little knowledge of it.

Everywhere you turn Standard's name pops up. It owns 20 per cent of Elk Hills and when oil is pumped from there the company will make a substantial profit. At present, because the field is operated under a contract whereby Standard and the government pool their reserves, the oil company isn't able to get to its oil. If commercial production were authorized, it could do so.

While it is evident that a few oil companies would benefit by drawing on the reserves, it is a good deal less clear that the public or government would be enriched. Theoretically, the planned 300,000 barrels a day from Elk Hills would reduce dependence on overseas oil by that amount. But there are no assurances that the oil companies would not simply continue those imports and shut down other domestic wells—especially since imported oil fetches the uncontrolled price of \$10 a barrel, as would oil from Elk Hills, while much of domestic production is still controlled at the "old" oil price of \$5.25.

It seems to have occurred to no one that, rather than give the companies a huge parcel of public property, a more workable and equitable approach would be to use the reserves as a building block for a government-owned oil exploration and production company. That proposal has been kicking around



Congress for several years and is gaining considerable strength. As it stands, the government merely acts as agent for oil companies that want to exploit a resource that belongs to everyone.

The concept of retaining for the government what belongs to it surely would be in the public interest, but in Washington these days little thought is given to public interest. Certainly it isn't a concept that would weigh heavily on the conscience of the Interior Department. For years, the Bureau of Land Management, an Interior agency, allowed private oil developers to poach oil from the edges of all four reserves; it has only recently halted the practice in response to rising protests.

In fact, the department is acting as if it already had the reserves in its grasp. It has plotted routes for the eventual construction of a pipeline to carry oil from Pet 4, and it has established what it calls the North Slope Project in Palo Alto, to study the subsurface geology. Since most of Prudhoe Bay has already been explored, one can conclude that Pet 4, with its vast riches, is the center of its interest.

The Ford Administration has not exactly fronted for the Interior proposal, lest unkind parallels be drawn between it and the Harding administration, but it is clear that Ford's people are doing nothing to discourage the idea. Rather than move straight ahead, the President has chosen an oblique way to get at the reserves and to prod Congress into action. As part of his energy package, he has proposed the establishment of what he calls the National Strategic Petroleum Reserve, which would stockpile 1.3 billion barrels for commercial and military use in the event of another embargo. Oil would be stored in salt domes in Texas and Louisiana and in steel tanks to be constructed throughout the country. Some people haven't taken to the idea. Rep. Otis Pike (D., N.Y.) said it sounded to him vaguely similar to an earlier scheme proposed by Interior Secretary Albert Fall when he agreed to lease Elk Hills and Teapot Dome in exchange for construction of oil storage tanks in Hawaii.

No one is talking about such a scandal this time, but there remains nevertheless the antitrust question. Investigators are trying to find out if six companies—Standard, Shell, Union Oil, Tidewater, Mobil and Texaco—have violated the Sherman Act by using their control of California pipelines to squeeze out competition from independent refiners. Further, they want to know if a "posted price" system, employed by several of the majors in moving oil throughout the state, is illegal price-fixing. The questions are intriguing, but the Interior Committee, in hearings dating back to last year, has never found time to explore them.

As long ago as 1970, memoranda prepared by Justice attorneys warned that competition for oil produced at Elk Hills might be strangled by the companies and that the government would receive less money than it deserved. The key figure in the setup is Standard, the nation's fifth largest oil company. As then Deputy Atty. Gen. Richard Kleindienst wrote in a 1970 letter to then director of the Bureau of the Budget Robert Mayo, Standard "is the largest producer and purchaser in the locality, indeed in the whole state. Moreover, Standard owns the only pipeline connected to the field, which any purchaser of Elk Hills oil must use for the first link in transportation to any refinery. The Standard line, however, is a private carrier, handling only oil owned by that company."

"Acting in concert with other companies," Kleindienst continued, "Standard could drive the Elk Hills wellhead price down, while still maintaining it at a higher price at the point where delivery is actually made to the refinery. Consequently, in order to move the oil, any purchaser must make arrangements

for sale to Standard and repurchase from it at the delivery point."

Because of its privileged position, Standard, even if it produced not a drop at Elk Hills, could thus control the flow of oil from the reserve; and it could dictate the price and terms to any firm that wanted the oil from its pipeline, particularly independent firms which must rely on the good will of the majors.

But that is only part of the story. Last year a joint legislative committee in California, headed by the current state Controller Ken Cory, examined how the pipeline system in the state operated and how crude oil prices were set. Late last year, the committee concluded that crude oil flows into California according to a "closed system in which market price is a deliberate illusion veiling the real value of that supply and the division of revenues therefrom."

The committee said this after examining company records and discovering that oil is very seldom sold in the open market. It is customarily traded from one company's pipeline at a so-called "posted price," which is artificially set. Accordingly, "There is no free market for crude oil in which a willing buyer and willing seller can bargain. Most of the crude oil is not traded on the market. It is kept within the select group of seven [companies]; produced by them, singly and jointly, and sent either directly to the producer's refinery or traded within the group without reference to the 'market price.'"

In Congressional testimony, Keith I. Clearwaters, deputy assistant attorney general for antitrust, said the Justice Department has intensified its antitrust investigation, but as yet has no conclusive evidence of violations. He added, "We are still investigating, however, and I would not want to suggest that the charge cannot ultimately be made."

Though no evidence has been received that independent refiners have been denied access to oil by major oil companies, Clearwaters said investigators are also looking into allegations by the Cory committee. "That is, whether there is an implied agreement to fix the prices of crude oil." Such a possibility could be inferred, he said, because "there is a pattern of substantial uniformity of postings" by at least four majors, including Standard.

Given this demonstration of rather sleazy free enterprise on the part of the major oil companies, one wonders if those who advocate turning the Navy reserves over to the Interior Department have tried to foresee the consequences. Though Congress appears to be in a panic to give away the oil, the least it can do is wait until the antitrust questions are resolved. To do otherwise would be an abdication of public responsibility.

The Navy's case for holding onto its oil for World War III is rather weak, but the proposal to hand over the oil to Interior for distribution among a few industry giants, is even more dubious. To do so will almost certainly mean that the taxpayer, once again has his pocket picked.

As Rep. John E. Moss (D., Calif.), a persistent critic of production at the reserves, has noted, "Past patterns of behavior by [Standard] and Interior do not inspire confidence in their ability or desire to protect the public interest." But then, one man's national emergency is another man's larceny.

#### PLANNING AND THE ECONOMIC CRISIS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I should like to draw to the attention of my colleagues

an article that appeared in Newsday on April 10 by Arnold Saltzman. From his experience serving in World War II on the National Industrial Mobilization Committee, the Office of Price Administration, and the U.S. Procurement Policy Board, he sees the need for an Economic Strategy Board. Mr. Saltzman, who lives in Great Neck, is president of Seagrave Corporation, a diversified manufacturing company. In the 93d Congress he rendered great volunteer service to the New York bi-partisan congressional delegation. The text of the article follows:

#### THE WAY I SEE IT—A DECLARATION OF WAR ON STAGFLATION

(By Arnold A. Saltzman)

More and more Americans are beginning to realize that our country is in deeper economic trouble than they have been told. The politicians have been unable or unwilling to explain the problems so that people can understand them. And economists, like doctors, speak in their own special jargon which is hard for anybody else to understand.

One year ago we were suffering from several economic diseases at the same time. Inflation was stealing from rich and poor, businessman and worker, and especially from the old, the pensioned, the jobless. It still is.

Recession was galloping into depression with 5,000,000 of our people unemployed. Now we are getting close to 9,000,000, with 25 per cent of our plant capacity idle, and the waste is shameful. Every day a man doesn't work, the potential wealth he creates—bricks, sewing machines, shoes, bread—is lost. It's like pouring milk down a sewer. And the increase in the rate of crime keeps pace with the increase in the rate of unemployment.

One year ago Washington was moaning about the energy crisis, reflecting the fact that a year before that, even before the Arab-Israeli war, the Arabs had tripled the price of oil. The reality is that for 10 years America has been using energy faster than we have replaced it, so while Washington has done nothing but beat its breast about the energy shortage Con Edison has raised prices 300 per cent.

We are losing \$125 billion of annual production and spending \$35 billion to feed 9,000,000 unemployed—all of that money down the drain. And we didn't restore our cities, turn coal into oil, cure cancer, or modernize our railroads. The \$60 billion deficit projected by June, 1975, I call the deficit of omission.

In recent weeks we have seen a great drama unfold between the President and the Congress on how to "spend us out of recession." It was all shadowboxing, because no way in the world does it matter whether the President spent \$17 billion or Congress spent \$22 billion. Neither expenditure would get us out of our mess, and the White House must know it if they want to extend special unemployment benefits into 1977.

There is no way that we can get healthy without attacking all of our illnesses at the same time. There is no way the White House could crush inflation without economic controls or without throwing people out of work, so in 1974 they starved us into a recession. There is no way they can spend us out of a depression without economic controls and without serious price inflation in 1975.

We need strong medicine to cure our several economic diseases at the same time. It won't help us if we improve our heart disease and die from cancer. And until we can get out of serious trouble at home, our standing in the capitals of the world diminishes as does the value of the dollar.

We need an overall plan for national progress and survival instead of being nibbled to

death by one crisis after another. The government must intervene until we get back on the track here at home and get straightened out abroad. But this must be done logically and boldly, not in a helter-skelter fashion that upsets all of us. The American people will accept and do whatever is necessary if they can believe that the White House and Congress know where they are heading and have the courage to take us there.

It is ridiculous to have idle workers in the glass, lumber, aluminum and construction industries coexisting with a shortage of decent housing. It makes no sense to say that spending \$800,000,000 to subsidize mass transit so people can get to work at the cheapest energy cost is inflationary, but on the same day to allocate \$2 billion to the cattle interests to encourage them to keep beef off the market and raise meat prices that consumers forced down. It makes no sense to make such little use of the nation's coal, while high-priced imported oil puts us in a financial straitjacket.

Since we are in crisis we need to create the equivalent of a War Production Board and a Bureau of Economic Warfare. This combination of economic planning and prescription for action I call an Economic Strategy Board. Such a board would long since have made it clear that we could not lick both recession and inflation without tough wage-price-money and export-import controls. It would have been clear long ago that we were using energy faster than we were creating it and would have produced a sensible plan to meet such problems.

The United States no longer has an infinite store of natural resources—in fact, on balance we have to import them. We no longer are the most efficient industrial producer in the world, nor is our dollar the strongest and most sought-after currency. And at the rate we are now exporting our last great superiority, our technology, we will soon not be supreme there as well. While we are still strong, we should realize that we can no longer do everything, waste our resources, save the whole world whether or not it desires to be saved, and increase our consumption without measuring the cost. We need to plan ahead as well-run corporations and wise heads of households do. We need to determine what our people will need next year and five years from now and what resources we will have to meet those needs.

In calling for an Economic Strategy Board, I purposely invoke the wartime names of War Production Board and Bureau of Economic Warfare. We are at war today—a war to preserve the American standard of living at home and a war to prevent our great country, which is under economic attack all over the world, from submitting to such pressures. If we act now, we can still preserve the promise of America for ourselves and our children. We don't have much time.

#### CONSUMERS MUST BEAR COST FOR STRIP MINING LEGISLATION

(Mr. WAMPLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAMPLER. Mr. Speaker, for weeks I have been trying to get an answer to a simple question. How much will the Surface Mining Control and Reclamation Act of 1975, now in conference, cost the consumers of America?

Apparently this is a difficult question to answer and one which appears not to have been studied very deeply. Yet to me and to millions of Virginians concerned about the phenomenal rise in their electric bills, it is a valid question and a pressing question. I should also think

this question would also be important to millions upon millions of other American consumers who are also alarmed about the recent rise in their electric bills.

Several weeks ago I requested the Congressional Research Service of the Library of Congress to draft me a statement, using the best available data, which would present in recapitulation form, the economic and social costs of implementing the surface mining control and reclamation bills, H.R. 25 and S. 7, with special emphasis on how much these bills would cost consumers. I received a fine report from the Library and inserted it in the CONGRESSIONAL RECORD, page H2870 on April 16. However, my question on "how much these bills would cost the American consumers" was not answered. Finally, I received another report. Unfortunately, it is an economic report and is couched in economic jargon, but, it does contain some very important facts.

The report states that there are quantifiable and unquantifiable costs to consumers, under these bills, of \$850 million annually; plus, an unnecessary \$11 billion in payments for imported oil, which would annually be charged to consumers, because of losses in coal production that will be brought about by enactment of this legislation.

To me, an annual energy cost increase to the American consumers of approximately \$12 billion for any legislation is disturbing. I would think the consumers of this Nation would want to know why this increase is necessary. I would think the press of America would want to know why these costs have not been presented to the public before. I know I am not satisfied that this much of an increase in cost is necessary, and I intend to continue my efforts to find a more detailed answer to the question: How much will the Surface Mining Control and Reclamation Act of 1975, now in conference, cost the consumers of America?

Mr. Speaker, the statement drafted for me by the Library of Congress follows:

#### THE COST TO CONSUMERS IF STRIP MINING LEGISLATION IS ENACTED

The potential for damage to consumers' vital interests from passage of H.R. 25 lies in its implications for both the cost and availability of coal. Whatever the initial impact of higher production costs, it is predictably the final energy user who will eventually be called on to shoulder these increased expenses. Through higher priced fuels and the additions to prices of every product that uses energy from coal in its production, America's consumers will end up paying the check for this ill-considered measure. Quantifiable costs for the 684 million tons of coal affected after 1976 will burden consumers with more than \$350 million in additional energy expenses. Unquantifiable costs could, according to the Administration, boost this total to nearly half a billion dollars in additional annual outlays.

Against the heady rises in petroleum prices, this figure may seem small. Yet it is important to realize that its impact will be focused on exactly those sectors of the economy that can little afford another shock. Because coal plays so dominant a role in the fueling of electric power plants, the already hard-pressed utility industry—and its customers—will bear the brunt of more expensive coal supplies. Utility companies must either further shrink the earnings that alone enable future growth, or already dissatisfied elec-

tricity purchasers, in homes and factories across the land, must be asked to ante up millions of dollars to pay utility bills they view as excessive presently. The tasks of financing needed expansion of utility generating power, regulating the chaotic utility markets, and gaining public understanding of the problems and prospects confronting electricity users—all will be rendered more difficult by a sudden and unnecessary hike in the cost of coal.

These consequences will flow inevitably from those provisions of H.R. 25 imposing additional costs on coal production. Less easily seen, perhaps, but far more important in the long run are the effects of H.R. 25 on the actual volume of coal production that we can expect in coming years. According to the Administration, passage of the bill could cut U.S. coal output by 167 million tons annually. Even reducing this figure to 100 million tons—a figure that even advocates of strip mining bans would find hard to quarrel with—would have a decisive and disastrous effect on our overall energy dilemma. Consider: A hundred million tons of lost coal production annually translates to an increase of more than one million barrels a day of petroleum needs. This reflects the simple assumption that any reduction in the availability of one fuel source—or a decrease from what it otherwise might have been—compels the enlarged dependence on some other fuel source. For the immediate future there is only one alternative fuel source capable of replacing coal in this volume: imported crude oil and refined petroleum.

President Ford has submitted his own plan for reducing U.S. dependence on foreign oil by a million barrels a day next year. Whatever the final disposition of the Administration's and others' energy plans, I think one fact has emerged in recent debates: any workable policy designed to have this much energy will force real sacrifices on the American people. Yet the entire benefit of these sacrifices could be offset, indeed squandered by the immediate impact of this one piece of legislation.

And how will such a wasted effort hit the pocketbooks of consumers? There is no easy answer to this question; but a review of some of the issues involved leads to the inescapable conclusion that the cost could be immense. The purpose of a serious energy conservation program is chiefly to reduce America's import needs enough to moderate the price-setting manipulations of the oil cartel itself. No target number of "barrels-a-day" saved can be regarded as certain to achieve this goal. Yet it is clear that the more we save in energy the better our chances of restraining imported oil prices and the sooner we can expect to do so. Conversely, the more energy we waste—either by overconsuming or failing to develop practical reserves of coal and other sources—the longer we will have to go on paying exorbitant charges for foreign crude oil. We presently import more than six million barrels a day of crude and products at a price approaching \$12/bbl. Most experts put the free market price needed to encourage oil supplies at about \$7/bbl. If the coal lost because of H.R. 25 were to delay a return to something like a free international energy market by just one year (and the million barrels a day in extra oil needs indicates that this is not an unrealistic assumption) it would cost the nation an unnecessary \$11 billion in payments for imported oil.

The fulfillment of that particular scenario—or of any other precise set of developments in world oil markets—cannot of course be predicted. But the point stands: H.R. 25 works against the essential directions which U.S. energy policy must take if we are to solve the problem of our addiction to foreign fuel supplies at monopoly price levels. And it works against these policies in ways that are measurable and measurably significant.



For the American consumer who has been asked to pay so much for our past oil policy mistakes, the cost of further mistakes may prove intolerable. Intolerable as well to the consumer as taxpayer and voter would be the sort of decision-making by elected representatives that would needlessly impose such costs.

#### BENEFITS FOR RECIPIENTS OF DISABILITY INSURANCE

(Mrs. MINK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, through legislation which I have introduced earlier in this session and through bills which I am introducing today, I seek remedies to several disadvantageous provisions of current law as it relates to benefits for recipients of disability insurance.

My bill, H.R. 3032, would equalize the earnings limitations placed on recipients of disability benefits and social security retirement benefits to whatever the limitation on the latter benefits might be for purposes of determining eligibility. Equalizing the earnings limitations not only has the obvious and desirable result of eliminating confusion between these two programs, but it also has the immediate effect of raising the earnings limitation substantially for recipients of disability benefits to allow a meaningful income for an individual who, despite his disability, is able to engage in some kind of gainful employment.

I have also introduced H.R. 5354 which would exempt disability income entirely from the income tax. These payments are exempt currently for recipients through age 65, but are considered "retirement benefits" after age 65, and are thus subject to taxation. I feel this is wrong. No additional burden should be placed on an elderly disabled person. Certainly, if anything, older recipients require more in the way of benefits to cope with increased costs of living in the face of possible reduced earning capacity which might result from reaching retirement age, in addition to whatever barriers the disability itself might place in the person's way.

My bill H.R. 5923, which was before the 93d Congress as H.R. 4029, also deals with persons who are disabled. It extends benefits to persons not now covered. This amendment liberalizes the test for the nonblind disabled so that it equals that for the blind. That is, currently, full disability benefits are available to the medically blind person at age 55 if he is unable to work in his normal occupation, whereas the nonblind disabled must show that he is unable to work at any occupation at all before these benefits become available. My bill changes this so that the nonblind disabled person need only show that he is unable to obtain work in his accustomed employment.

This latter change in the law is in line with recommendations in the recent report of the Advisory Council on Social Security which notes that a "severe, but not totally disabling impairment can have virtually the same impact on an older worker as does total disablement on

a younger worker." The report suggests that these "occupationally disabled" workers over 55 years of age be paid higher disability benefits. My bill provides full benefits to these persons. In addition, medicare coverage would be provided these occupationally disabled on an equal basis with other recipients of disability benefits, which currently means that medicare coverage is available after a person has received disability payments for a period of 24 months.

I am also introducing two bills today which deal with disability benefits, one of which was my bill H.R. 4028 of the 93d Congress. This bill liberalizes the conditions governing eligibility of blind persons to receive disability benefits. Persons who meet the definition of "industrial" blindness would be considered disabled, regardless of their capacity to work, and could receive social security disability insurance benefits for any month in which they do not engage in substantial gainful activity. Such persons would qualify for disability benefits with as few as 6 calendar quarters of social security coverage; whereas in general, the law now requires that a worker be fully insured and have at least 20 quarters in the 40 quarters preceding disablement. The bill would eliminate the alternative definition of disability that now applies to blind workers aged 55 and over which requires inability to do previous work or any similar work as I have described above. Disability benefits would be payable after age 65 to blind workers who have 6 quarters of coverage even though they are not insured for retirement benefit purposes.

The other bill I offer today would alter the quarters-of-coverage concept altogether. It would correct an inequitable situation in which potential benefits may be denied disability payments even though they have paid sufficiently into the program, but at the "wrong" time in their lives.

As the law presently stands, eligibility for disability benefits requires:

First, that the individual be fully insured—that is, that he have one quarter coverage for each year elapsed since 1950, or if later, his 21st birthday, with a minimum of 6 quarters, or that he have accumulated a total of 40 quarters coverage; and

Second, either that not less than 20 of the 40 quarters immediately prior to the onset of disability were quarters of coverage, or that if under age 31, that not less than half the quarters since he was 21 were quarters of coverage, or if he has less than 12 quarters of coverage, that not less than 6 of the last 12 were quarters of coverage.

This latter requirement was placed into the law originally to insure that the program would apply to those wage earners who had been regular and recent members of the labor force. The bill I am introducing today was H.R. 4564 in the 93d Congress. It eliminates the 20 out of 40 quarters requirement altogether, leaving only the requirement that the individual be fully insured. That is, under my amendment to the Social Security Act, an individual would be qualified for disability insurance benefits if he has

enough quarters of coverage to be fully insured for old-age benefit purposes, regardless of when such quarters were earned. Thus, for example, a 32-year-old person with 11 quarters of coverage—one quarter per year since age 21, per the definition of "fully insured"—might be eligible for benefits under my bill.

Mr. Speaker, there is a real need today to assist our disabled citizens to exist in this time of increasing costs needed for simple living. A recent survey has indicated a continuing willingness on the part of the American people to support the Nation's social security system to help those who are now beneficiaries of the system. While there are increased demands placed on the system by the bills I have proposed, I feel those demands are justified to the end of effecting greater equity and justice. I urge my colleagues to carefully consider these bills, and to act favorably and expeditiously on them.

#### CHEMICAL WARFARE—AN HISTORICAL DISCUSSION

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, an important issue under consideration in this Congress is a determination whether this Nation should approve the complete modernization of our chemical warfare stockpiles. I have already introduced legislation proposing to stop this program, together with 60 of my colleagues. I will, in a few days, provide information which has been furnished to me by the Chairman of the Joint Chiefs of Staff in reply to some of my questions about United States chemical warfare programs.

It has been 60 years since large scale chemical warfare began in modern battles. Perhaps some of the Members may be interested in a review of the effects of gas in war, and some of the reasons why such programs were initiated. Dr. Robert Jones recently prepared the first of a series of articles on this subject which has been printed in the British journal, *New Scientist*, April 17, 1975. I offer the article for inclusion in the RECORD.

#### CHEMICAL WARFARE—THE INITIAL HORROR

(By Dr. Robert Jones)

The idea of using choking fumes as an offensive weapon in war is very old indeed. One of the earliest instances to be recorded occurred in 428 BC, when the Spartans burnt wood saturated with pitch and sulphur under the walls of the city of Plataea in an attempt to subdue the defending Athenians. The operation was not a success, for a sudden rainstorm extinguished the fires. History documents examples of similar incidents which took place subsequently, with varying degrees of success. But the events that occurred at the Ypres salient 60 years ago on 22 April, 1915, constitute a turning point in the development of chemical warfare.

The day was a fine one in the immediate vicinity of Ypres. At 5 pm, men in forward positions heard a light hissing noise from the direction of the German trenches. Within 15 minutes, no less than 168 tons of chlorine had been released along a front extending about four miles. A light wind of 3-4 mph bore the wall-like cloud towards trenches manned by British, Canadian, French and Algerian troops. Distant observers spoke of a

low greenish mist "such as is seen over water meadows on a frosty night". The deadly gas brought horror and confusion into the ranks of the Allies. Those still capable fled past rear positions, only to run the risk of being shot in the back by their comrades unaware of the advancing terror. More chlorine was discharged on an adjoining sector of the front on 24 April, this time against Canadian troops. The Allied position was simultaneously bombarded with shells containing lachrymators. Much uncertainty exists over the numbers of victims; the figures most quoted are 15,000 casualties, of whom 5,000 died during or soon after the attacks.

The Allies had not, however, been completely without warning. Several days before, a captured deserter had provided the French with information that the Germans were intending to use "tubes of asphyxiating gas placed in batteries of 20 tubes for every 40 metres along the front of the 26th (French) Corps". The prisoner even had a cotton pad, to be dipped in a chemical that counteracted the effects of the gas. Accordingly, the Royal Flying Corps made a special reconnaissance of the German positions, but nothing suspicious was reported, and no further precautions were made. The surprise and effectiveness of the German attack rent an immense hole in the Allied front, but Canadian and British reserves were able to fill the gap before the Germans followed up their advantage. Later, in September, the British retaliated in kind at Loos, with chlorine.

As with other poisonous gases, the effects of chlorine are related to the duration and magnitude of exposure. At high concentrations, victims experience feelings of intense suffocation, fall to the ground, struggle for a few moments, and expire. Conan Doyle wrote of the scene after the attack near Ypres, when the Germans advanced through successive lines of Allied trenches "tenanted only by the dead garrisons, whose blackened faces, contorted figures, and lips fringed with blood and foam from their bursting lungs, showed the agonies in which they had died" (The British Campaign in France and Flanders 1915). Men exposed to lower doses sense a burning of the throat and feelings of suffocation, and cough repeatedly. Breathing becomes intensely difficult, and death may follow within two days. The main effect of the gas is to cause the secretion of massive quantities of a frothy fluid into the airspaces of the lungs. As fluid builds up, lack of oxygen induces feelings of weakness, fatigue, lassitude, and headache. Medical examination can detect bubbling noises within the chest. The body temperature tends to fall, and the features become bluish. When slightly tilted in a head-downwards position, patients may produce over a litre of frothy fluid. Gassed individuals surviving for 36 hours generally developed bronchitis. The fluid coughed up became greenish and purulent; the pulse became weak and rapid, while respirations became shallow and fast. Headache and debility would develop, persisting sometimes for several weeks. Those who lasted out the initial two days usually made some kind of recovery.

#### GROWTH OF CHEMICAL INDUSTRY

The attack of 22 April represents the culmination of a multitude of diverse events that had begun well over 100 years before, with the discovery of chlorine by Scheele in 1774. The growth of chemical knowledge that began at about that time was to lead to enormous industrial application and innovation. Whereas scientific endeavor in this country remained largely stified throughout the nineteenth century by an excessive emphasis laid on the teaching of classics in secondary education, the Germans were quick not only to grasp the significance of the new knowledge, but also to foster its spread and application. A chief consequence was the rapid growth and dominant position attained

by the massive dyestuffs industry, whose output by 1913 had reached over 110,000 tons. Germany was ideally situated to develop the war potential of her chemical industry at the beginning of hostilities. For example, dyestuff intermediates derived from coal tar were readily switched to the synthesis of explosives and, later, to the manufacture of poison gases whose structures incorporated aromatic rings. A rudimentary but adequate awareness of the irritant and poisonous properties of a small proportion of the substances discovered in previous decades was all that was further required to divert the capacity of the complex chemical industry towards novel bellicose aims.

The time was also ripe for a rapid and intensely active phase of research and development in chemical warfare. The first Hague Convention had considered the possibility of this kind of hostility as far back as 1899. Twenty-five nations had met together, and had recognised that recent advances in the technology of explosives, notably in the emergence of nitrocellulose and nitroglycerine powers as propellants, made possible the delivery at long range of "asphyxiating or deleterious gases" by means of high velocity shells. In fact, no such weapons had actually then been devised, but nearly all the participating nations agreed to ban them, despite their notional reality. The United States failed to approve the resolution, and Great Britain's vote was contingent on unanimity.

The years 1915-17 provide fascinating details of the scissors-paper-stone sequence of offence/defence in research and development. During the entire period the ball remained almost exclusively in the German court. The main physiological target of chlorine is the respiratory tract, especially the lungs. The earliest protective devices, consisting of cotton pads soaked in a solution of sodium carbonate plus thiosulphate, were intended to cope with chlorine. The pads were not particularly efficient, and were only regarded as a temporary expedient. Moreover, the device offered no protection against lachrymatory agents, the use of which followed the introduction of chlorine almost simultaneously. The pads were replaced with a flannel helmet fitted with eyepieces; the solution of sodium salts was supplemented with glycerol, to prevent the cloth from drying out and losing its slender protective capacity.

British intelligence then discovered that the Germans were soon to introduce phosgene, which is several times more poisonous than chlorine. The anti-chlorine solution was changed to include sodium phenate and glycerol, but the Russians found that hexamethylene tetramine was more effective against phosgene. So the P. (for phenate, or phenolate in contemporary terminology) became the P.H. (phenolate-hexamine) helmet. As a countermeasure, the Germans stepped up the delivery of lachrymators; the Allies responded with rubber goggles fitted with mica eyepieces, to be used in conjunction with the P.H. helmet.

#### GAS MASKS INTRODUCED

The next defensive innovation was introduced by the British, in the form of a respirator. The air intake was purified by passage through a canister containing activated charcoal (against lachrymators and vapours), soda lime (against chlorine and phosgene) and potassium permanganate. The facepiece consisted of layers of muslin impregnated with sodium zincate and hexamethylene tetramine; the eyes were protected by goggles.

The toxicity or irritant power of each new substance tended to exceed those of its predecessors. By the late spring of 1917, defence measures had been so successfully improved, despite the awkward, clumsy and cumbersome aspects of the equipment, that the casualties caused by gassing were almost entirely restricted to men caught unawares by the sudden build-up of toxic concentrations. In July, the Germans shattered the stale-

mate with two novel and deadly weapons.

The first of these, diphenylchloroarsine, is classified as a sternutator, or cough-inducing agent. CS also belongs to this group. Sternutators are solids of almost negligible volatility, and therefore require heat for their dissemination. The vaporisation induced by heating leads to the formation of tiny particles which readily penetrated the standard masks, causing immediate and intense irritation of the eyes and mucous membranes. Coughing, nausea, and vomiting resulted, the intention being that affected soldiers would remove their masks, thereby risking exposure to other gases such as phosgene that were included in the bombardment. The Allies responded in kind; indeed, the American Major Adams, discovered a cheap method of preparing another sternutator, namely, 10-chloro-5, 10-dihydrophenarsazine. The compound became known as Adamsite, and achieved later notoriety as a riot control agent both on its own and in conjunction with tear gas. The essential requirement of adequate protection is an air filter that effectively traps the particles. This was not easy to achieve in practice without increasing substantially the resistance to airflow.

#### MUSTARD GAS

The second of these new weapons overcame the problem in a different way. Mustard gas, first launched against the British near Ypres on the night of 12 July, 1917, marked the beginning of the next phase. The name mustard gas is a misnomer; the substance is an oily liquid possessing only slight volatility (0.4 mg/litre at 15°C) in relative terms, although this level is three times that necessary to kill after an exposure of 10 minutes. Unlike any of its predecessors, but like the nerve gases developed during the Second World War, the compound can inflict death by skin contact. Worse, mustard gas can penetrate rubber and even leather, causing distressing blisters to the underlying skin.

The response to mustard gas varies considerably depending on the nature of exposure. Apart from a slight irritation of the nose and a faint smell in high concentration that has been likened to mustard, garlic, or horse-radish, mustard gas produces no immediate physiological effects. So on the night of 12 July, the bombarded British noticed nothing, apart from sneezing. Within two hours, however, eyes became inflamed, and vomiting sometimes occurred. If the eyes were totally unprotected, victims were effectively blinded. The famous picture by J. S. Sergeant in the Imperial War Museums shows men blinded by gas being led in groups, each holding on to his predecessor. False membranes soon developed on tongue and trachea; with heavy exposure, lung tissue sometimes practically disintegrated.

Sufferers experienced nausea; the skin became irritated and inflamed, with blister formation at sites of splashing. High concentrations of vapour also produced blistering, especially in the armpits and body crevices of the pelvic region. Affected areas later became necrotic, taking weeks to heal. The white cell count showed a prompt initial rise soon after exposure before plummeting to levels so meagre that the body became, in effect, a welcoming culture medium for bacteria. Many of the deaths were due to infection. The lungs would become "the seat of an extensive necrotising bronchopneumonia with abscess formation . . . pneumonia is due to secondary infection, and is the principal cause of death . . . the small bronchi are entirely occluded with pus . . ." (Vedder, E. B., Medical Aspects of Chemical Warfare, 1925).

In addition, affected persons presented a picture of abject misery. Those fortunate enough to be moved from the front sometimes took months to recover. Their distress chiefly took the form of acute detestation of light and of being moved; headache, nausea, vomiting, fever, intense depression, feelings



of insuperable lassitude and fatigue, diarrhea, and extensible body wastage were the predominant symptoms, in addition to blistering. Some idea of the detailed lethal consequences of poisoning by mustard gas can be gathered from the dispassionate account, produced for the Medical Research Committee by Dr. M. J. Stewart at the end of 1918, of 10 moribund cases. The true wretchedness of the condition is still difficult to visualize; in the appalling existence of the trenches, with frequent bombardment and risk of injury or death, perpetual mud, lack of sanitation and facilities for hygiene, sores, lice, and substandard nutrition, that men endured such a compounded artificial hell is nothing short of miraculous. Little wonder, then, that mustard gas acquired a terrifying notoriety as the "king of the war gases" against which there was no complete defense in the front line.

#### WILFRED OWEN'S DESCRIPTION

Most of the poisons used offensively in the Great War produced symptoms broadly similar to those described; the effects are documented in the literature, which proliferated hugely at the end of the war and into the immediate post-war years before subsiding to a small trickle. Yet the most vivid description of gas poisoning was penned neither by scientist nor doctor. Wilfred Owen, tragically shot a few days before the signing of the Armistice, wrote of the consequences when a soldier failed to protect himself in time.

But someone still was yelling out, and stumbling,  
And floundering like a man in fire or lime.  
There, through the misty panes and dim green light,  
As under a thick sea, I saw him drowning. . . .  
I must not speak of this thing as I might,  
In all my dreams I hear him choking,  
drowning.  
In all your dreams if you could slowly pace  
Behind the wagon that we laid him in,  
And watch the white eyes turning in his face,  
His hanging face, tortured for your own sin,—

If you could see, at every jolt; the blood  
Come belching black and frothy from the lung,  
And think how once his face was like a bud,  
Fresh as a country rose, and clear, and young,  
You would not go on telling with such zest,  
To children ardent for some desperate glory,  
The old lie: Dulce et decorum est  
Pro patria mori.

#### GUN CONTROL—THE NEED TO ACT QUICKLY

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, I would like to take this opportunity to insert into the Record two articles which have appeared recently in a local newspaper in my congressional district. These articles describe the sale of "antique" pistols which apparently are becoming something of a fad in New York State since the State gun control law was amended last year to allow those without gun permits to purchase these items in the form of a kit that can be quickly assembled. Tests show that the weapons can be easily fired, that ammunition for them is readily available and that they are capable of inflicting great bodily harm.

If the deaths and injuries that result from the sale of these fad objects follow the established pattern, most of them will

occur when an adult or child accidentally discharges the weapon while playing with it or examining it or will result from a heated argument between friends or relatives in which an individual decides in the passion of the moment to settle the matter once and for all. As a cosponsor of the national handgun control bill introduced recently by my distinguished colleague, Mr. MIKVA, I urge that we act promptly to end this madness.

#### The articles referred to follow:

[From the (White Plains, N.Y.) Reporter Dispatch, Apr. 18, 1975]

#### NO PERMIT NEEDED FOR REAL WEAPONS MADE FROM KIT

(By Charles Lachman)

A person doesn't need a pistol permit in order to legally buy a handgun in Westchester County. In fact, the individual doesn't even need to be over 18 years of age.

Many stores in Westchester are selling antique pistol kits, and the guns "can kill as easily as any weapon," according to county law enforcement officials.

The gun kits do not fall under the protective code of New York State's handgun law, and it is possible for anyone with \$32 to buy the potentially lethal weapon.

The antiques are rally replicas of pistols used in the 1800's. When assembled, the kits turn into workable weapons that can fire a .44 caliber ball with enough force to penetrate a thick piece of wood.

Before Jan. 15, 1974, a person who wanted to purchase the pistol kit was required to apply for a permit. But the law was amended last year to exclude the replicas from any state gun control legislation.

Since the pistols can be purchased without a permit, there are no age limitations who the kits may be sold to, according to William Ritigliano, the agent in charge of the White Plains office of the U.S. Bureau of Alcohol, Tobacco & Firearms.

Theoretically, a 10-year-old can walk into a discount store or any of the more than 10 Westchester gun shops surveyed, pay \$32 and walk out with a flint-lock pistol.

But most gun shop operators say there is a self-imposed restriction on selling the kits to minors, even though state law does not demand it.

"I doubt very much if anyone in this particular store would sell the kits to a child under 18," says Peter Remling, a gun salesman who works in the Peekskill branch of Caldors.

The law was changed because legislators believed that gun powder and the .44 caliber balls used to fire the pistol were not easily available, according to chief investigator John DeLeo from the county sheriff's office.

But the legislators were wrong.

Right now, any person can buy under five pounds of gun powder in most county gun shops. The .44 caliber balls are also sold in the gun shops and at Caldors.

The new law placed the pistol kits into the category of "antiques" that do not require permits or registration by the purchaser. The result is that a number of companies which manufacture or distribute the pistol kits increased their inventory supply to Westchester, Putnam and other counties.

The new law has a "favorable effect on our sales," says Hank Goodman, vice president of one of the largest distributors of the pistol kits, Ultra-High Products of New Jersey.

Goodman, however, would not release sales figures for his company for the past year.

Caldors has only recently begun selling the pistol kits. One reason is the lenient law, but another is growing interest in America's Bicentennial.

Ritigliano said, "With the Bicentennial coming, we get a lot of questions from people who want to participate in the parade with the pistols."

Under state law, a person who wants to fire the weapons must apply for a permit.

But no permit is required to buy the pistol kit.

This quirk in the law inevitably causes many violations, according to the sheriff's office. For example, a sales pamphlet from Ultra-High Products estimates that 30 per cent of the assembled pistols are actually fired. The remainder are displayed in the dens of aspiring gun collectors.

But as one gun salesman said, "Who's going to catch you if you fire it without a permit?" Sheriff Thomas Delaney agreed that there are many violations of the law.

The antique pistol kits come in two models. One resembles the six-cylinder Colt .45, while the other is a replica of the Revolutionary War flint-lock or percussion pistols.

Among Westchester stores that sell the pistol kits are Male Town in White Plains, Daum Company in Mount Kisco, Agramonte's in Yonkers, Armonk Gun Shop, and the Bedford, Peekskill and Yorktown branches of Caldor's.

#### TEST FIRE SHOWS KIT GUN POWER

(By Charles Lachman)

With his feet firmly planted, Westchester ballistics specialist Joseph Reich Thursday fired a \$54 pistol into three 2 by 3 inch blocks of wood.

The pistol created enough force to drive a .44 caliber ball into the first block.

These pistols come in kits, and can be purchased by anyone without a permit—including 10-year-olds.

"A skull would never stop that ball," said Westchester Sheriff Thomas Delaney after the smoke cleared away. "We've just proved that the kits are deadly weapons. There's no doubt about it."

Delaney is just one of many law enforcement officials who are showing increased concern about the sale of the pistol kits in Westchester and Putnam.

The Sheriff and his ballistics expert arranged the firing session Thursday to prove that new legislation is needed so that persons who buy the kits must apply for a permit.

The pistol kits come in many models. But the two most popular ones include a \$32 Revolutionary War percussion-type pistol and a Colt .45 replica that can fire six .44 caliber balls.

Under recently passed state laws, the pistol kits are considered "antiques," not firearms. As a result, no permit or any form of registration is required of persons who buy the weapons.

But Delaney would like to see the law changed. After Thursday's demonstration, he concluded that the pistol kits "should be considered a weapon. We proved that they are capable of being fired."

Compared to a .38 caliber police revolver, the Colt .44 replica, which can be purchased for about \$50 in one White Plains gun shop, is just as powerful. Both were lodged into the second of three wooden blocks that were set up near the Sheriff's firing range in Valhalla.

At the very least, Delaney says he would like to force manufacturers of the pistol kits to make the weapon "inoperable." But he would also like to require persons who buy the kits to register them with the county clerk.

In fact, Delaney vowed that any person caught with the assembled pistol, gun powder and ball will be arrested if he does not have a permit.

The Sheriff agreed that the arrest would go far in challenging the state law.

He added, "No one from the state can disprove that it is not a fireable weapon."

Chief Investigator John DeLeo said that he has already received an anonymous complaint from an irate parent who said her

son purchased the kit in northern Westchester.

Any attempt to require permits for the pistol kits would receive the opposition of the powerful arms lobby in Albany, Delaney says. One distributor of the pistol kits, Hank Goodman of Ultra-High Products, said that the pistols are a "true sport. We strongly feel that no permit should be required for them because they are not weapons.

"They are antiques."

#### ELECTRICITY—NATIONAL POWER GRID BILL REINTRODUCED

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, on March 17, 1975, I introduced the National Electric Energy Conservation Act of 1975, along with five of my colleagues—RECORD pages 6857, 6858. Senator METCALF introduced a companion bill in the Senate on the same day.

On April 14, 1975, I reintroduced the bill, along with 25 additional colleagues who feel that it is time to use our present generating capacity more efficiently by forming a national power grid—RECORD, page 10091.

I am pleased to reintroduced the bill a second time today with 10 more of my colleagues who wish to cosponsor the legislation.

#### ADDITIONAL COSPONSORS

Mr. Murphy of New York, Mr. George Miller, Mr. Pattison, Mr. Ashley, Mr. Ryan, Ms. Holtzman, Mr. Solarz, Ms. Fenwick, Mr. Maguire, Mr. Hannaford, and Mr. Carr.

The Members might be interested to know that the concept of a national power grid has had the support of America's rural and public electric systems for several years. I would like to insert in the RECORD an advertisement that the Nation's rural electric systems are using in support of a grid:

#### NEEDED: A NATIONWIDE POWER GRID

Our country, once a land of isolated communities, is bound together today by networks of many kinds—highway, railroad, television, telephone, radio.

Missing, however, is one highly important network . . . a system for sending electricity to where it's needed, when it's needed . . . shutting millions of kilowatts from sleeping California to up-and-about New York, for instance, and back again when required.

We of America's consumer-owned rural electric systems believe a nationwide power grid—an extra high voltage system—capable of quickly moving large blocks of power anywhere in the country—north, south, east or west—is long overdue.

It becomes clearer each day that if we, as a nation, are to solve our complex and persistent energy problems, we must take this and other steps—using to the fullest extent technical capabilities now available—that will help maximize the efficient use of our power generating facilities and energy supply.

We believe such a grid system can best be achieved within the present pluralistic ownership structure of the electric industry. But size of profit or feasibility of investment should not be the all-determining factors. *Performance in the public interest*—that must be the principal purpose and value. This means every element of the electric utility industry—and government—must carry its fair share of the financial responsibility.

To enable our nation to use energy re-

sources more wisely . . . to help match supply with demand and reach the primary objective of ensuring reliable electric service for all Americans . . . and for national security and consumer health, safety and convenience, we advocate speedy development of a nationwide power grid.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. DELLUMS (at the request of Mr. O'NEILL), for today and Tuesday, April 29, on account of attending a funeral.

Mr. MATSUNAGA (at the request of Mr. O'NEILL), for today and Tuesday, April 29, on account of official business.

Mr. RAILSBACK (at the request of Mr. MICHEL), for today, on account of illness (throat examination).

#### 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. MOORE) to revise and extend their remarks and include extraneous material:)

Mr. MCKINNEY, for 5 minutes, today.

Mr. DERWINSKI, for 5 minutes, today.

Mr. ROUSSELOT, for 15 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. BURKE of Florida, for 10 minutes, today.

Mr. HEINZ, for 30 minutes, today.

(The following Members (at the request of Mr. LAFALCE) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. KASTENMEIER, for 5 minutes, today.

Mr. DRINAN, for 10 minutes, today.

Mr. FORD of Tennessee, for 10 minutes, today.

Mr. CORNELL, for 15 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. ALEXANDER, for 30 minutes, today.

Mr. FITHIAN, for 10 minutes, today.

Mr. O'NEILL, for 5 minutes, today.

Mr. RODINO, for 5 minutes, today.

Mr. BROOKS, for 5 minutes, today.

Mrs. BURKE of California, for 5 minutes, today.

Mr. PATMAN, for 10 minutes, today.

Mr. METCALFE, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MOORE) and to include extraneous matter:)

Mr. HAGEDORN in five instances.

Mr. CRANE in two instances.

Mr. GILMAN.

Mr. LENT.

Mr. ESCH.

Mr. ASHBROOK.

Mr. MYERS of Indiana.

Mr. BELL.

Mr. HORTON.

Mr. ANDERSON of Illinois in two instances.

Mr. THONE.

Mr. HEINZ in three instances.

(The following Members (at the request of Mr. LAFALCE) and to include extraneous matter:)

Mr. EVINS of Tennessee.

Mr. BALDUS.

Mr. ANNUNZIO in six instances.

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in three instances.

Mr. CARNEY in two instances.

Mr. MINETA in five instances.

Mr. RIEGLE in two instances.

Mr. RODINO in two instances.

Mr. RANGEL in 10 instances.

Mr. LLOYD of California in three instances.

Mr. BEARD of Rhode Island in two instances.

Mr. RUNNELS.

Mr. WIRTH.

Mr. HARRIS.

Mr. MITCHELL of Maryland.

Mr. SIMON in two instances.

Mr. LONG of Maryland.

Mr. HAWKINS in two instances.

Mr. DINGELL.

Mr. NOWAK in 10 instances.

Mr. ZEFERETTI.

Mr. BOLLING.

Mr. ECKHARDT.

Mr. RICHMOND.

Mr. MIKVA.

Mr. DOWNEY in two instances.

Mr. JOHN L. BURTON.

Mrs. SPELLMAN.

Mr. McDONALD of Georgia in two instances.

Mr. JONES of Tennessee.

Mr. MOORHEAD of Pennsylvania in 10 instances.

#### SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 435. A act to amend section 301(b) (7) of the Agricultural Adjustment Act of 1938 as amended, to change the marketing year for wheat from July 1-June 30, to June 1-May 31; to the Committee on Agriculture.

S. Con. Res. 19. Concurrent Resolution relating to the World Food Conference of 1976 in Ames, Iowa; to the Committee on International Relations.

#### ADJOURNMENT

Mr. CORNELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 29, 1975, 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:

866. A letter from the President of the United States, transmitting a draft of proposed legislation to extend and revise the State and Local Fiscal Assistance Act of 1972; to the Committee on Government Operations.

867. A letter from the President of the United States, transmitting notice of his intention to exercise his authority under section 614(a) of the Foreign Assistance Act



of 1961, as amended, to authorize the use of Indochina Postwar Reconstruction funds for the purpose of financing the evacuation from South Vietnam of certain South Vietnamese nationals and others without regard to the requirements of the act, the Foreign Assistance Act of 1974, and section 113 of Public Law 94-11, pursuant to section 652 of the Foreign Assistance Act of 1961, as amended (H. Doc. No. 94-116); to the Committee on International Relations and ordered to be printed.

868. A letter from the Secretary of Defense, transmitting a semiannual report on the standardization of military equipment in NATO and other related actions, pursuant to section 302(c) of Public Law 93-365; to the Committee on Armed Services.

869. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend section 269(e) of title 10, United States Code, to provide that a member of the Ready Reserve may not be transferred to the Standby Reserve under that subsection unless he has served on active duty (other than for training) for at least 91 days and has requested that transfer 180 days in advance; to the Committee on Armed Services.

870. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the negotiated sale by the Department of Defense of certain equipment, materials, and obsolete spare parts to U.S. purchasers, and for other purposes; to the Committee on Armed Services.

871. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to amend the U.S. Housing Act of 1937 to increase the amounts of annual contributions which may be provided thereunder with respect to low-income housing projects, to specify the manner in which annual contributions shall be subject to appropriation acts, and for other purposes; to the Committee on Banking, Currency and Housing.

872. A letter from the Secretary of Health, Education, and Welfare, transmitting an interim report on long-range projections of the service needs of the handicapped required by section 405(a)(1) of Public Law 93-112; to the Committee on Education and Labor.

873. A letter from the U.S. Commissioner of Education, Department of Health, Education, and Welfare, transmitting his annual reports for fiscal year 1973 on the program of financial assistance to local educational agencies and the program of school construction in areas affected by Federal activities, pursuant to section 401(c) of Public Law 81-874, as amended [20 U.S.C. 242(c)], and section 12(c) of Public Law 81-815, as amended [20 U.S.C. 642(c)], respectively; to the Committee on Education and Labor.

874. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting a proposed amendment to the regulations governing the Guaranteed Student Loan Program, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

875. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting proposed regulations and guidelines for the Rights to Read reading academy program under section 2(a)(1) of the Cooperative Research Act, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

876. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting proposed final regulations and guidelines for part B of the Education of the Handicapped Act—assistance to States for education of handicapped children, pursuant to section 431(d)(1) of the General

Education Provisions Act, as amended; to the Committee on Education and Labor.

877. A letter from the Secretary of the Interior, transmitting a report on Federal programs and Alaska Natives, pursuant to section 2(c) of Public Law 92-203; to the Committee on Interior and Insular Affairs.

878. A letter from the Assistant Secretary of the Interior, transmitting his approval of the application of the Nevada Irrigation District of Grass Valley, Calif., for a loan under the Small Reclamation Projects Act, as amended, pursuant to section 4(c) of the act; to the Committee on Interior and Insular Affairs.

879. A letter from the Deputy Secretary of State, transmitting a report on the reduction of U.S. civilian and military personnel abroad, pursuant to section 15(b) of Public Law 93-475; to the Committee on International Relations.

880. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the intention of the Department of the Air Force to offer to sell certain defense articles to the Government of Tunisia, pursuant to section 36(b) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

881. A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 511(d) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 881(d)) to raise the monetary limit applicable to drug-related judicial forfeitures from \$2,500 to \$10,000; to the Committee on Interstate and Foreign Commerce.

882. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Federal Railroad Safety Act of 1970 to authorize additional appropriations; to the Committee on Interstate and Foreign Commerce.

883. A letter from the Acting Director, Office of Telecommunications Policy, Executive Office of the President, transmitting a draft of proposed legislation to amend certain provisions of the Communications Satellite Act of 1962, as amended; to the Committee on Interstate and Foreign Commerce.

884. A letter from the Postmaster General, transmitting a draft of proposed legislation to amend the Postal Reorganization Act to preserve the present method of computing the compensation of rural letter carriers; to the Committee on Post Office and Civil Service.

885. A letter from the Secretary, Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Social Security Act to make permanent the program of assistance for U.S. citizens returned from foreign countries; to the Committee on Ways and Means.

## 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:

*[Pursuant to the order of the House on Aug. 24, 1975, the following report was filed on Apr. 25, 1975]*

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 3902. A bill to authorize appropriations for the fiscal years 1976 and 1977 for certain maritime programs of the Department of Commerce, and for other purposes; with amendment (Rept. No. 94-175). Referred to the Committee of the Whole House on the State of the Union.

*[Submitted April 28, 1975]*

Mr. MORGAN: Committee of Conference. Conference report on H.R. 6096 (Rept. 94-176). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 5357. A bill to authorize appropriations to the Secretary of Commerce for the promotion of tourist travel. (Rept. No. 94-177). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 5217. A bill to authorize appropriations for the Coast Guard for the procurement of vessels and aircraft and construction of shore and offshore establishments, to authorize appropriations for bridge alterations, to authorize for the Coast Guard an end-year strength for active duty personnel, to authorize for the Coast Guard average military student loads, and for other purposes; with amendment (Rept. No. 94-178). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 5272. A bill to amend the Noise Control Act of 1972 to authorize additional appropriations (Rept. No. 94-179). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules: House Resolution 425. Resolution providing for the consideration of the conference report on H.R. 6096. A bill to authorize funds for humanitarian assistance and evacuation programs in Vietnam and to clarify restrictions on the availability of funds for the use of U.S. Armed Forces in Indochina, and for other purposes (Rept. No. 94-180). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO (for himself and Mr. MOFFETT):

H.R. 6393. A bill to amend title 38, United States Code, to provide hospital and medical care to certain members of the armed forces of nations allied or associated with the United States in World War I or World War II; to the Committee on Veterans' Affairs.

By Mr. ASPIN (for himself, Mr. BELLE, Mr. BINGHAM, Mrs. BURKE of California, Mr. CARR, Mr. CARTER, Mr. DOMINICK V. DANIELS, Mr. FENWICK, Mr. FRASER, Mr. HALL, Mr. HARKIN, Mrs. HECKLER of Massachusetts, Mr. METCALFE, Mr. MOAKLEY, Mr. MOFFETT, Mr. RICHMOND, Mr. RODINO, Mr. ROE, Mr. ROSE, and Mr. ROSENTHAL):

H.R. 6394. A bill to prohibit the licensing of certain activities regarding plutonium until expressly authorized by Congress, and to provide for a comprehensive study of plutonium recycling; to the Joint Committee on Atomic Energy.

By Mr. BEARD of Rhode Island (for himself, Mr. HECHLER of West Virginia, Mr. BROWN of California, Mr. SOLARZ, Mr. CARR, Mr. MURPHY of Illinois, Mr. HARRINGTON, Mr. ST GERMAIN, Mr. DOWNEY, Ms. ABEUG, Mrs. SCHROEDER, Mr. LONG of Maryland, Ms. HOLTZMAN, Mr. GILMAN, Mr. MAZZOLI, Mr. KOCH, and Mr. PEPPER):

H.R. 6395. A bill to require unannounced State inspections of public and private extended care facilities, skilled nursing homes, and intermediate care facilities and to require State enforcement of guarantees of rights of the patients in such facilities; to the Committee on Interstate and Foreign Commerce

By Mr. BEARD of Rhode Island (for himself and Mr. ST GERMAIN):

H.R. 6396. A bill to require the Administrator of Veterans' Affairs to acquire the

Rhode Island Veterans' Cemetery; to the Committee on Veterans' Affairs.

By Mr. CEDERBERG:

H.R. 6397. A bill to amend the National Portrait Gallery Act to redefine "portrait"; to the Committee on House Administration.

By Mr. CRANE (for himself, Mr. ROBINSON, Mr. COLLINS of Texas, Mr. YOUNG of Florida, Mr. HALEY, Mr. ARCHER, Mr. ABDNOR, Mr. CONLAN, Mr. McDONALD of Georgia, Mr. ESHLEMAN, Mr. BAFALIS, Mr. HENDERSON, and Mr. BEARD of Tennessee):

H.R. 6398. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, to refrain from such activities; to the Committee on Education and Labor.

By Mr. CRANE (for himself, Mr. KELLY, and Mr. BEARD of Tennessee):

H.R. 6399. A bill to remove statutory limitations upon the application of the Sherman Act to labor organizations and their activities, and for other purposes; to the Committee on the Judiciary.

By Mr. CRANE (for himself, Mr. COLLINS of Texas, Mr. CONLAN, Mr. McDONALD of Georgia, Mr. ESHLEMAN, Mr. BAFALIS, Mr. KETCHUM, Mr. HENDERSON, and Mr. BEARD of Tennessee):

H.R. 6400. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. CRANE (for himself and Mr. KELLY):

H.R. 6401. A bill to amend title 39, United States Code, to eliminate certain provisions relating to private carriage of letters, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRANE (for himself, Mr. SYMMS, Mr. LENT, Mr. HANNAFORD, and Mr. KINDNESS):

H.R. 6402. A bill to amend title XI of the Social Security Act to repeal the provision for the establishment of professional standards review organizations to review services covered under the medicare and medicaid programs; jointly to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. DE LA GARZA:

H.R. 6403. A bill to clarify the authority of the Secretary of Agriculture to control and eradicate plant pests; to the Committee on Agriculture.

By Mr. ESCH:

H.R. 6404. A bill to insure that recipients of veteran's pension and compensation will not have the amount of such pension or compensation reduced, or entitlement thereto discontinued, because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

H.R. 6405. A bill to establish a science and technology policy for the United States, to provide for scientific and technological advice and assistance to the President, to provide adequate administrative organization to assure effective Federal support and utilization of research and development, to amend the National Aeronautics and Space Act of 1958, to amend the National Science Foundation Act of 1950, and for other purposes; jointly to the Committees on Science and Technology, and Government Operations.

By Mrs. FENWICK:

H.R. 6406. A bill to amend the Truth in Lending Act to provide that creditors who act in accordance with advisory opinions rendered by agencies under this act shall be presumed to be in compliance with the act with respect to the matter upon which the advisory opinion was rendered; to the Committee on Banking, Currency and Housing.

By Mr. FOLEY (for himself and Mr. WAMPLER) (by request):

H.R. 6407. A bill to further amend the

Agricultural Marketing Act of 1946; to the Committee on Agriculture.

By Mr. FORD of Tennessee:

H.R. 6408. A bill to coordinate State and local government budget-related actions with Federal Government efforts to stimulate economic recovery by establishing a system of emergency support grants to State and local governments; to the Committee on Government Operations.

By Mr. GIBBONS:

H.R. 6409. A bill to amend the Accounting and Auditing Act of 1950 to provide for the audit of certain Federal agencies by the Comptroller General; to the Committee on Government Operations.

By Mr. GOLDWATER (for himself and Mr. LAGOMARSINO):

H.R. 6410. A bill to amend the Surplus Property Act of 1944 to allow the Administrator of General Services to convey or dispose of to any State, political subdivision, municipality, or public district, without monetary consideration to the United States, surplus real or personal property which is essential, suitable, or desirable for the development, improvement, operation, maintenance, or use of a public port; to the Committee on Government Operations.

By Mr. HANSEN (for himself and Mr. SYMMS):

H.R. 6411. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments; to the Committee on Public Works and Transportation.

By Mr. KOCH (for himself, Mr. Moss, Mr. SIMON):

H.R. 6412. A bill to provide for the payment by the United States of attorneys fees and other costs of the accused in criminal cases where the ultimate disposition is other than a conviction; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 6413. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has enough quarters of coverage to be fully insured for old-age benefit purposes, regardless of when such quarters were earned; to the Committee on Ways and Means.

H.R. 6414. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mrs. MINK (for herself and Mr. HAWKINS):

H.R. 6415. A bill to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities designed to achieve conservation and nonuse of energy and materials and for other related educational purposes; to the Committee on Education and Labor.

By Mr. MOORHEAD of Pennsylvania:

H.R. 6416. A bill to coordinate State and local government budget-related actions with Federal Government efforts to stimulate economic recovery by establishing a system of emergency support grants to State and local governments; to the Committee on Government Operations.

By Mr. RICHMOND (for himself, Mr. MILLER of California, Mr. HECHLER of West Virginia, Mr. CONYERS, Mr. DELLUMS, Mr. DE LUCA, Mr. ROSENTHAL, Mr. ROYBAL, Mr. HARRINGTON, Mr. WAXMAN, Mr. KOCH, Mr. ZEPERETTI, Ms. CHISHOLM, Ms. ABzug, Mr. RANGEL, Mr. BADILLO, Mr. VIGORITO, Mr. HARKIN, Mr. NOLAN, Mr. McHUGH, Mr. JENNETTE, Mr. BERGLAND, Mr. MELCHER, and Mr. BROWN of California):

H.R. 6417. A bill to amend the Food Stamp Act of 1964 to provide for improved and more extensive means of distributing food stamp

informational materials, to improve the application procedure for food stamp applicants, and to provide special assistance in areas of high unemployment; to the Committee on Agriculture.

By Mr. RICHMOND (for himself, Mr. ROE, Mr. STARK, Mr. MITCHELL of Maryland, Mr. PATTISON of New York, and Mrs. MEYNER):

H.R. 6418. A bill to amend the Food Stamp Act of 1964 to provide for improved and more extensive means of distributing food stamp informational materials to improve the application procedure for food stamp applicants, and to provide special assistance in areas of high unemployment; to the Committee on Agriculture.

By Mr. RINALDO:

H.R. 6419. A bill to provide for additional sentences for commission of a felony which use of a firearm; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 6420. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. SIMON (for himself, Mr. PERKINS, Mr. BROWN of California, Mr. REES, Mr. CHARLES H. WILSON of California, Mr. BLANCHARD, Mr. UDALL, Mr. HECHLER of West Virginia, and Mr. BUCHANAN):

H.R. 6421. A bill to require the Secretary of Labor to establish a pilot program for the provision of guaranteed employment opportunities in selected counties of the United States; to the Committee on Education and Labor.

By Mr. SISK (for himself, Mr. BARRETT, Mr. BENITEZ, Mr. BROWN of California, Mr. CARNEY, Mr. CHAPPELL, Mr. CORNELL, Mr. DERRICK, Mr. DRINAN, Mr. DUNCAN of Tennessee, Mr. FLORIO, Mr. HANLEY, Mr. HARKIN, Mr. HECHLER of West Virginia, Mr. HICKS, Mr. HUBBARD, Mr. ICHORD, Mr. KAZEN, Mr. LaFALCE, and Mr. LITTON):

H.R. 6422. A bill making appropriations for section 107 (a) (6) of the Housing and Community Development Act of 1974 for the fiscal year ending June 30, 1975; to the Committee on Appropriations.

By Mr. SISK (for himself, Mr. McCORMACK, Mr. McFALL, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. NOLAN, Mr. PERKINS, Mr. REES, Mr. ROE, Mr. RYAN, Mr. STRATTON, Mr. THOMPSON, Mr. UDALL, Mr. WEAVER, Mr. YOUNG of Texas, and Mr. ZEPERETTI):

H.R. 6423. A bill making appropriations for section 107(a) (6) of the Housing and Community Development Act of 1974 for the fiscal year ending June 30, 1975; to the Committee on Appropriations.

By Mr. SISK (for himself, Mr. BARRETT, Mr. BENITEZ, Mr. BROWN of California, Mr. CARNEY, Mr. CHAPPELL, Mr. CORNELL, Mr. DERRICK, Mr. DRINAN, Mr. DUNCAN of Tennessee, Mr. FLORIO, Mr. FUQUA, Mr. HANLEY, Mr. HARKIN, Mr. HECHLER of West Virginia, Mr. HICKS, Mr. HUBBARD, Mr. ICHORD, Mr. KAZEN, Mr. LaFALCE, and Mr. LITTON):

H.R. 6424. A bill to amend the Housing and Community Development Act of 1974 for the purpose of authorizing additional appropriations for fiscal year 1975; to the Committee on Banking, Currency and Housing.

By Mr. SISK (for himself, Mr. McCORMACK, Mr. McFALL, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. NOLAN, Mr. PERKINS, Mr. REES, Mr. ROE, Mr. RYAN, Mr. STRATTON, Mr. THOMPSON, Mr. UDALL, Mr. WEAVER, Mr. YOUNG of Texas, and Mr. ZEPERETTI):



H.R. 6425. A bill to amend the Housing and Community Development Act of 1974 for the purpose of authorizing additional appropriations for fiscal year 1975; to the Committee on Banking, Currency, and Housing.

By Mr. WHITE (for himself and Mr. COHEN):

H.R. 6426. A bill to amend title 44, United States Code, to strengthen the authority of the Administrator of General Services and National Archives and Records Service with respect to records management by Federal agencies, and for other purposes; to the Committee on Government Operations.

By Mr. YATES:

H.R. 6427. A bill to amend the National Portrait Gallery Act to redefine "portraiture"; to the Committee on House Administration.

By Mr. ANDERSON of California (for himself, Mrs. MINK, Mr. EDWARDS of California, Mr. KETCHUM, Mr. WON PAT, Mr. STARK, Mr. SISK, Mr. BROWN of California, Mr. WAXMAN, Mr. MINETA, and Mr. FRASER):

H.R. 6428. A bill to amend the Migration and Refugee Assistance Act of 1962 to provide for assistance to refugees from Southeast Asia; to the Committee on the Judiciary.

By Mr. BURKE of Florida:

H.R. 6429. A bill to provide tax relief for condominium owners, homeowner's associations, and cooperative housing corporations; to the Committee on Ways and Means.

By Mr. CORNELL:

H.R. 6430. A bill to amend the Internal Revenue Code of 1954, the Social Security Act, and other laws to provide effective welfare reform by replacing public assistance and food stamps with a system of allowances and refundable credits, and for other purposes; to the Committee on Ways and Means.

By Mr. DRINAN (for himself, Mr. BRODHEAD, Mr. BROWN of California, Mr. EILBERG, Mr. FRASER, Mr. GILMAN, Mr. GUDE, Mr. HARRINGTON, Mr. HARRIS, Mr. HICKS, Mr. KOCH, Mr. KREBS, Mr. LAFALE, Mr. LONG of Maryland, Mr. MAZZOLI, Mr. PATTISON of New York, Mr. RANGEL, Mr. RICHMOND, Mr. ROSENTHAL, Mr. SCHEUER, Mr. SIMON, Mr. SOLARZ, Mr. STARK, and Mr. WAXMAN):

H.R. 6431. A bill to prohibit actions by U.S. exporters which have the purpose or effect of supporting restrictive trade practices or boycotts imposed against countries friendly to the United States by other foreign countries; to the Committee on International Relations.

By Mr. FASCELL:

H.R. 6432. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first \$5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

By Mr. FASCELL (for himself, Mr. DRINAN, and Mr. BAUCUS):

H.R. 6433. A bill to provide that meetings of Government agencies shall be open to the public and for other purposes; to the Committee on Government Operations.

By Mr. GINN:

H.R. 6434. A bill to amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON:

H.R. 6435. A bill to amend the National Portrait Gallery Act to redefine "portraiture"; to the Committee on House Administration.

By Mr. NIX:

H.R. 6436. A bill to amend the Housing Act of 1937; to the Committee on Banking, Currency and Housing.

By Mr. OTTINGER (for himself, Mr. MURPHY of New York, Mr. MILLER

of California, Mr. PATTISON of New York, Mr. ASHLEY, Mr. RYAN, Ms. HOLTZMAN, Mr. SOLARZ, Ms. FENWICK, Mr. MAGUIRE, Mr. HANNAFORD, and Mr. CARR):

H.R. 6437. A bill to improve the Nation's energy resources; to the Committee on Interstate and Foreign Commerce.

By Mr. ROE:

H.R. 6438. A bill to establish an arbitration board to settle disputes between supervisory organizations and the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. WALSH:

H.R. 6439. A bill to amend chapter 34 of title 38, United States Code, to authorize additional payments to eligible veterans to partially defray the cost of tuition; to the Committee on Veterans' Affairs.

H.R. 6440. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. WHITEHURST:

H.R. 6441. A bill to repeal the Fair Trade provision of the McGuire Act; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 6442. A bill to amend the Federal Trade Commission Act (15 U.S.C. 44, 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed per se unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUSSELOT:

H. Con. Res. 254. Concurrent resolution setting forth, on an aggregate basis only, the congressional budget for the U.S. Government for the fiscal year 1976; to the Committee on the Budget.

By Mr. ESHLEMAN:

H. Res. 426. Resolution to honor the sacrifices and achievements of the Pennsylvania Riflemen; to the Committee on Post Office and Civil Service.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

112. By the SPEAKER: Memorial of the Legislature of the State of Hawaii, relative to control of communicable diseases among immigrants; to the Committee on the Judiciary.

113. Also, memorial of the Legislature of the State of Maine, relative to extension of the Voting Rights Act of 1965; to the Committee on the Judiciary.

114. Also, memorial of the Legislature of the State of Oklahoma, relative to removing the question of abortion from the jurisdiction of the Supreme Court of the United States; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PHILLIP BURTON:

H.R. 6443. A bill for the relief of Georgina Kam Tong Choi (a.k.a. Georgina Kam Tong Au Yeung); to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 6444. A bill for the relief of Tran Van Bien Rosa; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 6445. A bill to authorize R. Edward Bellamy, doctor of philosophy, a retired officer of the Commissioned Corps of the U.S. Public Health Service, to accept employment by the Canadian Department of Agri-

culture; to the Committee on International Relations.

By Mr. SYMMS:

H.R. 6446. A bill for the relief of Brandywine-Main Line Radio, Inc., WXUR and WXUR-FM, Media, Pa.; 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:

109. By the SPEAKER: Petition of the Southwest Regional Energy Council, Little Rock, Ark., relative to financing of State energy offices; to the Committee on Government Operations.

110. Also, petition of Mrs. Clarence W. McIntosh, Winnetka, Ill., relative to the Advisory Commission on Intergovernmental Relations; to the Committee on Government Operations.

111. Also, petition of Robert J. Pryor, San Angelo, Tex., and others, relative to an accounting of men missing in action and the return of prisoners of war in Southeast Asia; to the Committee on International Relations.

112. Also, petition of the City Council, Youngstown, Ohio, relative to an investigation of the assassinations of John F. Kennedy, Robert Kennedy, and Martin Luther King, and the attempted assassination of George Wallace; to the Committee on Rules.

113. Also, petition of Richard M. Frugia, Angleton, Tex., relative to medical benefits of retired military personnel; to the Committee on Veterans' Affairs.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 49

By Mr. DINGELL:

Page 12, line 4, strike "Federal, State"; and insert "State".

By Mr. HUGHES:

Insert on Page 5, Line 11 "Each such contract, lease, or operating agreement shall terminate at the end of any calendar year during which full production is not maintained with respect to oil and gas covered by such contract, lease, or operating agreement."

Insert on page 7, line 9 and redesignate present sections (d) and (e);

"Sec. (d). No such contract, lease, or operating agreement may be entered into by the Secretary of the Interior for the development and production of such oil or gas on Naval Petroleum Reserve Numbered 1 in quantities which exceed the capacity of pipelines in existence or under construction at the time such contract, lease, or operating agreement is consummated."

By Mr. JEFFORDS:

To amend the substitute to H.R. 49, as recommended by the Committee on Interior and Insular Affairs, as further amended by the text of H.R. 5919 as a substitute as offered by the Committee on Armed Services, by further amending the text of H.R. 5919 as follows: In the text of H.R. 5919, on page 9, line 3, amend Sec. 2(a) to read as follows:

"It is hereby declared to be the policy of the United States that a National Strategic Petroleum Reserve (Military) shall be established in order that the energy requirements of the United States military will be met in the event of any disruptions of foreign supplies of petroleum and petroleum products or any military emergency. The stockpiles of such a reserve shall be created in such a manner that they may be, as a general rule, physically integrated and managed together with such stockpiles as may be created in the event the Congress creates a Na-

tional Civilian Petroleum Reserve. Accordingly—

(b) Upon enactment of this Act, the Secretary of the Navy shall commence a search for suitable storage facilities within which petroleum from Naval Petroleum Reserves 1, 2, and 3 or its equivalent may be stockpiled. The Secretary shall conduct his search with the cooperation of the Administrator of the Federal Energy Administration for the purpose of integrating such stockpile with such petroleum which may be stockpiled by that Administrator in the event that a National Civilian Strategic Petroleum Reserve be created by Congress. The search shall be conducted under the assumption that storage will be needed for at least 100 million barrels of military stockpiles. This figure may be modified upon completion of the study delineated in subsection (d) hereof.

(c) When suitable facilities, either in or above ground, or both, are found, the Secretary is directed to stockpile up to 50% of the daily production of petroleum from Naval Petroleum Reserves 1, 2, and 3, or its equivalent, in such facilities.

(d) One year after the enactment of this Act, the Secretary of Defense, after consultation with the Joint Chiefs of Staff, shall provide the Congress a report recommending the amount of petroleum to be stockpiled on an annual basis in such Military Reserve.

On page 6, line 9, after "(c)", strike the word "Any", and add the following before the word "disposition": "Except as may be provided under section 2(a) of this Act, any".

On page 8, line 4, add an additional subsection as follows:

"(4) Stockpiling of petroleum products as part of the National Strategic Reserve (Military) in facilities at strategic locations in the United States."

H.R. 5919

By Mr. DINGELL:

Pages 6, lines 5 and 6, "Federal, State"; and insert "State".

H. CON. RES. 218

By Mr. ROUSSELOT:

Amendment in the nature of a substitute to House Concurrent Resolution 218 or to any amendment in the nature of a substitute to House Concurrent Resolution 218:

SEC. 1. That the Congress hereby determines, pursuant to section 301(a) of the Con-

gressional Budget Act of 1974, that for the fiscal year beginning on July 1, 1975—

(a) the recommended level of Federal revenues is \$299,400,000,000;

(b) the appropriate level of total new budget authority is \$300,000,000,000;

(c) the appropriate level of total budget outlays is \$299,400,000,000;

(d) the amount of the deficit in the budget which is appropriate in the light of economic conditions and all other relevant factors is \$0; and

(e) the appropriate level of the public debt is \$542,400,000,000 and the amount by which the temporary statutory limit of such debt should accordingly be increased is \$11,400,000,000.

SEC. 2. The Congress may adopt a revision of this resolution, pursuant to section 304 of the Congressional Budget Act of 1974, in the event of sharp revisions in revenue or spending estimates brought on by major changes in the economy or other developments. The adoption by the Congress of any such concurrent resolution described in this section, revising the recommended or appropriate aggregate levels contained in the first section of this resolution, shall be not later than July 15, 1975.

Amendment to House Concurrent Resolution 218, or to any amendment in the nature of a substitute to House Concurrent Resolution 218 (to be considered en bloc):

On page 1, line 7, strike out "\$295,000,000,000" and all that follows through line 9, and insert in lieu thereof "\$299,400,000,000";

On page 1, line 11, strike out "\$395,600,000,000" and insert in lieu thereof "\$300,000,000,000";

On page 2, line 2, strike out "\$368,200,000,000" and insert in lieu thereof "\$299,400,000,000";

On page 2, line 5, strike out "\$73,200,000,000" and insert in lieu thereof "\$0";

On page 2, line 7, strike out "\$624,000,000,000" and insert in lieu thereof "\$542,400,000,000";

On page 2, line 9, strike out "\$93,000,000,000" and insert in lieu thereof "\$11,400,000,000";

Amendment to House Concurrent Resolution 218, or to any amendment in the nature of a substitute to House Concurrent Resolution 218 (to be considered en bloc):

On page 1, line 7, strike out "\$295,000,000,000" and all that follows through line 9, and insert in lieu thereof "\$299,400,000,000";

On page 2, after line 9, add the following new section:

"SEC. 2. The Congress may adopt a revision of this resolution, pursuant to section 304 of the Congressional Budget Act of 1974, in the event of sharp revisions in revenue or spending estimates brought on by major changes in the economy or other developments. The adoption by the Congress of any such concurrent resolution described in this section, revising the recommended or appropriate aggregate levels contained in the first section of this resolution, shall be not later than July 15, 1975."

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## EXTENSIONS OF REMARKS

### FOURTH HOUSE OFFICE BUILDING

#### HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. ECKHARDT. Mr. Speaker, a considerable amount of attention has been excited by the request for an appropriation for the acquisition of New Jersey Avenue SE. as the site for a fourth House Office Building—an acquisition that would necessitate the razing of a large number of private houses. I think we should all be gratified by the widespread interest—not just on Capitol Hill and in the District of Columbia—that this has aroused. The plan is being discussed in the press and by broadcasters nationally. Their concern is welcome, for it helps to focus public attention on the Capitol, not just as a piece of architecture, but as a symbol of our legislative institution. What we do and the style in which we do it is a matter of national concern. Also, everybody pays part of the bill.

For this reason I should like to extend my remarks to include the statement of Maurice Rosenblatt which was presented to the House Appropriation Legislative Subcommittee on April 15. Mr. Rosenblatt is known to many Members as the founder of the National Committee for an Effective Congress. He has long been an active supporter and participant in various citizens' activities to back up and improve Congress.

Since I was recently elected to the chairmanship of the Democratic Study Group, I am personally interested in the part he played in its early development.

In its first stages, as I understand it, a small group of congressional Members and advisers met weekly for breakfast in the Longworth cafeteria to discuss the possibilities of a voluntary study and action group. Among the most faithful attendants were Representatives LEE METCALF, FRANK THOMPSON, Chet Hollifield, John Blatnik, George Rhodes, Chester Bowles, and HENRY REUSS. They were assisted by William Phillips, an aide to Mr. Rhodes, who became the staff director for the DSG, and by Mr.

Rosenblatt, who at that point represented the National Committee for an Effective Congress. I have a somewhat sentimental attachment to New Jersey Avenue since the DSG's first formal address was 435½ New Jersey Avenue SE.

But sentiment aside, there are some very practical and historic considerations which Maurice Rosenblatt's statement puts forward:

STATEMENT PREPARED BY MAURICE ROSENBLATT BEFORE THE HOUSE APPROPRIATIONS LEGISLATIVE SUBCOMMITTEE, APRIL 15, 1975

My name is Maurice Rosenblatt. I have been a resident of the District of Columbia since 1945 when I left the military service in the South Pacific. I have lived on Capitol Hill since 1950, first occupying the historic Frederick Douglass House behind the Supreme Court and now for the past ten years living and working in my home on New Jersey Avenue Southeast—part of the tract of land at present the subject of this inquiry.

My interest in Congress has always been intense—a vocation and an avocation. In 1948, I founded the National Committee for an Effective Congress with Mrs. Eleanor Roosevelt, Senator Harley Kilgore and other citizens. I am a professional Congress-watcher and Congress-worrier, one of its



most driving critics and devoted fans. I have probably known more members of Congress—in both parties—than almost any other citizen of this community not directly an official of the institution.

I am here today not because of my concern for real estate, my own or that of my neighbors; I am concerned for the Congress. Since I have lived on Capitol Hill, I have witnessed the erection of a series of buildings that obstruct, distort, clash and do violence to the spirit and integrity of the Capitol of the United States. Each one outdoes its predecessor in inappropriateness, in vulgarity and in cost. Each one is a greater affront to the spirit of the Capitol—probably the most revered and respected symbol of our government for all the people. The latest edifice, the almost-completed Madison Library, looks suspiciously like the carton in which the Rayburn building was delivered.

As Congress prepares to embark upon yet another construction project, I am reminded of Winston Churchill's remarks before the House of Commons on October 28, 1943, after Parliament had been destroyed by Nazi air raids: "We shape our buildings and afterwards our buildings shape us." Any of you who have had to make the trek to the Capitol from the far reaches of the Rayburn Building can begin to understand.

This procession of atrocities was not your doing. They just seemed to happen, like a creeping blight. But the point is not what has been done—the extravagant cost, the aesthetic affront, the gross inefficiency—but what will be done. The time has come to examine the entire question of what this Capitol Hill is all about, what its purpose is, both functionally and spiritually. You gentlemen have an opportunity to rescue the most important symbol of American political life from further violation.

What is the question we are asking here? Is it a question of real estate? Of adding another building, in the blind faith that real estate will somehow be the answer? Is it merely a question of tearing down two blocks of historic dwellings or is there a larger issue lurking beneath the surface, one that we have been putting off and putting off?

The Architect says more space is needed. He doesn't say how much more. We suggest the Rayburn garages be built upon, as was the original plan for that area. But, no, they will support only a frail two story structure. The site of the Congressional Hotel is available—and already owned by the government, I might add—but the 400,000 plus square feet there is evidently not enough either. Mr. White's amorphous needs for space remind me of the high command in Joseph Heller's *Catch-22*. Each time the pilots had completed the number of missions necessary to finish their tour of duty, the number of missions required was raised. The Architect's office claims authority to take all land south of Independence Avenue to the Anacostia River. But why be so modest and stop at the Anacostia? Why not Roanoke?

Unless Congress defines its function, it will be impossible to describe any perimeter, set any boundary to federal buildings on the Hill. And that is the real issue here—defining the function of Congress.

If Congress is a legislative body, then its facilities must be designed accordingly. The House is the national assembly of America, the locus where the elected representatives must meet to debate and to pass judgments—as a body. The well of the House is the fulcrum of our democracy. Ideally, all activity should radiate from this point. Members should be able to be personally in touch with each other as closely as possible—face to face. The physical contact on and around the House floor is vital to the proper functioning of this body.

Already, much of that function has been compromised. One of your colleagues told me the other day, almost in despair, that he

had an eight o'clock breakfast in the Capitol, followed by 5 meetings and conferences in the next two hours, scattered from the Dirksen Building to the Capitol to the House office buildings. Between running, phone calls to find out about last minute room changes and more running, he managed to make perfunctory appearances at two of his five appointments. As all of you well know, the experience was not unique, nor was it likely to go unrepeatable.

Adding more buildings more bases of operations more corridors and more subways is not the solution unless one is fond of the Orwellian vision of members of Congress sitting in their offices watching an empty chamber on closed circuit television and voting by flick of a switch—all done without coming in contact with another human soul.

In contrast to this let us see what Winston Churchill said about the House it size and its character. This was at the time when the House of Commons had been destroyed by Nazi bombs and he was discussing its rebuilding:

"It should not be big enough to contain all its Members at once without overcrowding and (that) there should be no question of every Member having a separate seat reserved for him. The reason for this has long been a puzzle to uninstructed outsiders, and has frequently excited the curiosity and even the criticism of new Members. Yet is not so difficult to understand if you look at it from a practical point of view. If the House is big enough to contain all its Members, nine-tenths of its Debates will be conducted in the depressing atmosphere of an almost empty or half-empty Chamber. The essence of good House of Commons speaking is the conversational style, the facility for quick, informal interruptions and interchanges. Harangues from a rostrum would be a bad substitute for the conversational style in which so much of our business is done. But the conversational style requires a fairly small space, and there should be on great occasions a sense of crowd and urgency. There should be a sense of the importance of much that is said, and a sense that great matters are being decided, there and then, by the House."

But how is the Capitol used today? An endless labyrinth of electricians' offices, carpenters' rooms, busy hives in which artisans ply their trade-activities having little to do with the true business of Congress. And this is true of the office buildings as well.

The logical solution to the problem is two-fold. First, locate the legislative functions of Congress as close as possible to the floor of the House.

Second, get the non-legislative functions off Capitol Hill.

The other day I was lunching at the Capitol Hill Club with a spry Hill veteran. He had first come to Washington on March 24, 1925, as assistant to freshman Massachusetts Congressman Joe Martin. Some of you knew Joe Martin, who later became Speaker, a man universally liked and respected. He was an effective Congressman. With one stenographer, Joe Martin and his assistant shared one room, 173, in what is now the Cannon Building. I know you will say he had a much smaller district. He had over 230,000 constituents. Today, that same area, now the Massachusetts 10th District, has 448,000, almost twice as many constituents. The staff of a representative today has grown to eighteen—sixteen more than Mr. Martin's allotment. Admittedly, the role of Congress has grown immensely since George Washington laid the cornerstone of the Capitol in 1793. There is some truth that there is an increase in Congressional responsibility and workload, but only a modicum.

Today, many Congressional offices have shifted emphasis from legislative matters to media, to case-work. More and more time is spent on informational duties and the maintenance of the office as a communications

center. Without making any judgments on the propriety of such a change in emphasis, I submit that few if any of these new activities need to be conducted on the Hill. I suggest that the essential functions and responsibilities of the legislative branch is not helped but hindered by the agglomeration of these nonlegislative activities.

I have been talking about function and efficiency; but there is also the matter of spirit. Architecture is the truest and most revealing statement of a society. It was not an accident our Capitol was located in the middle of a city and intimately surrounded by private homes and private enterprises. That, in itself, is a statement of what our government is all about. To let one of the homes on New Jersey Avenue be destroyed by a wreckers' ball, without any assessment of the real need, without any idea of what will replace it, is an action of irresponsibility bordering on vandalism. For these buildings that some speak so casually of tearing down are some of the finest examples of federal architecture left in the city, and certainly in the immediate vicinity of the Capitol. Once you have razed them, they cannot be rebuilt. No amount of money you might wish to appropriate will be able to replace them. If you decide to go ahead and destroy this small patch of history, I hope that you are certain that you will be proud of what you build in its stead.

People have come to us, important members of the House, and said to us, "You are right, this move is an abomination. But of course you know that what Congress wants, Congress gets. Don't be a damned fool. Just realize it's all set and there's really nothing for you to do but haggle for a higher price."

I do not believe this is true. This matter has not been settled and I do not think Congress will act capriciously or deceptively. You gentlemen were the ones who were deceived about the Rayburn garages, you gentlemen were the ones who were led down the primrose path, and never given the whole story, never told who was getting the goodies. But it was your good name and the Congress that suffered in the end. I don't think you will let that happen again.

May I conclude with practical suggestions, some of which are probably being implemented.

1. There should be; a complete survey of all space on the House side of the Capitol Building and the related House buildings, properties and garages. Who has it and what is it used for? I have heard many members complain that they are short of office rooms, but I have also been invited to members' "hideaways", some of which have been very modest and convenient rooms for senior members, exactly where they should be, near the floor, near the scene of the action. But there are others who are rumored to collect such space, as part of the head-hunting prestige game of the successful chieftain. Rooms unused, just trophies of power.

2. A removal from the Capitol and House facilities of general services activities, repair shops, administrative and accounting offices not absolutely needed on a day to day basis.

A plan to reassign space utilization that will bring members and activities closer to the well of the House, be it committee meetings, or the smaller conference and meeting rooms where you spend a major part of your time.

4. Let the various subcommittees of Congress, the Government Operations Committee, the Congressional Commission of Information and Facilities, and the other studies report back to Congress and the Public before—before—you let Mr. White start swinging his wreckers' ball.

Symbols are realities in our politics. The American public is somewhat fed up with government, its size, its cost, its insensitivity, its non-performance. Adding one more mau-soleum to the capitoline hill will not be con-

sidered as a solution to Congressional space problems but as an arrogant gesture, a step toward the Imperial Congress.

We feel, gentlemen, that you are in a position to keep these things in proportion, and let us remember that Julius Caesar wrote that no Commander should have more than five people report to him personally.

### COLLAPSE NOT OUR FAULT

#### HON. JIM LLOYD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. LLOYD of California. Mr. Speaker, the ordeal suffered by this Nation in Southeast Asia is finally coming to a close. The questions of how and why America became embroiled in this foreign tragedy and made it her own will no doubt be asked many times. However, the important thing to me, is to know that at least this Nation tried to bring about an honorable solution. The following editorial in the San Gabriel Valley Daily Tribune, published April 18, 1975, expresses precisely my feelings on the situation in Indochina.

#### COLLAPSE NOT OUR FAULT

It's about time that Americans stopped all the breast-beating and guilt-ridden wailing about the collapse of South Vietnam and Cambodia.

Clearly the situation in Southeast Asia is attributable to a rout of local governments and local armies. Armies that were well supplied by the U.S. It is not attributable to any American presidents, any American congressmen or any American people.

It was never a war for us to win. Our nation chose that course long before 58,000 Americans had died in Vietnam and long before we had pumped \$200 billion in military aid and food into it.

It was a war, similar to the one in Korea, where the most that could be hoped was for the South Vietnamese and Cambodians to develop the leadership and military prowess to retain their own freedom. Significantly, South Korea remains free of domination by the North.

What was the situation when the nation finally brought American troops home from Vietnam?

The South Vietnamese had a manpower advantage of 3-1 over the North. It had a 12-1 advantage in armored vehicles and a 50-1 advantage in ammunition. The South had absolutely no opposition in the air.

Yet, today the South Vietnamese stand on the brink of defeat at the hands of North Vietnam.

The blame, if it is to be cast, must lay with the erratic leadership of South Vietnam's President Thieu, who proved time and again that he was too indecisive to make proper military decisions. He advanced when he should have withdrawn; he withdrew when he should have stood fast, as in March when he virtually abandoned two-thirds of his country to the North without justification.

In the headlong retreat, army supplies estimated at up to \$10 billion worth were abandoned. Troops fought civilians for places on boats and planes to the seeming safety of Saigon.

Thieu set off the panic. Now his country faces destruction because of it and because of him—not because of the United States.

With U.S. military assistance, South Korea stands firm and free. With U.S. military assistance, tiny Israel has made itself the scourge of its Arab enemies.

America is not to blame for the ignominy

and collapse of South Vietnam, nor for that matter, the fall of Cambodia.

If we have any fault, it is in having financed and entrusted a noble cause to incompetent leaders like Thieu and Cambodia's Lon Nol.

The families of 58,000 dead American servicemen and the tens of thousands who were wounded and maimed in Vietnam certainly realize that it was President Thieu and his generals who have stained the honor and sacrifice of their sons and loved ones.

### RADICAL INTEREST IN SOUTHERN AFRICA

#### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. McDONALD of Georgia. Mr. Speaker, for some years, foreign terrorist organizations have been sending representatives to this country to develop both propaganda campaigns and programs of "concrete" support—usually money for guns and supplies. In many instances, these terrorist travellers have been Marxist-Leninist revolutionaries covertly armed, trained, and directed by the Soviet Union or Red China.

Presenting themselves to Americans as "freedom fighters for national liberation," and always as the "legitimate representatives of the people," propaganda terms of little objective reality, these revolutionary spokesmen have worked at organizing pressure campaigns by American "progressive" leaders and institutions.

Among the most popular revolutionary guerrilla groups with U.S. "progressives" and liberals are the Soviet-financed African National Congress—ANC—of South Africa and the Southwest Africa People's Organization—SWAPO. The two organizations in the United States most devoted to advancing their cause have been the American Committee on Africa—ACOA—and the National Council of Churches—NCC.

On Wednesday, April 23, 1975, NCC's local Council of Churches of Greater Washington sponsored a "Community Hearing on U.S. Corporations and Apartheid" in the District of Columbia City Council chambers. The published handbills advertising the "hearings" listed some 50 cosponsors, members of the "hearing" panel and "witnesses."

The persons involved with the "Community Hearing" include many with long records of dedicated service to the cause of the ANC, SWAPO, and other Russian sponsored guerrilla groups in Southern Africa. For the information of my colleagues, I attach the list of cosponsors and participants, together with background information wherever appropriate:

COSPONSORS, COMMUNITY HEARING, U.S. CORPORATIONS, AND APARTHEID

Rev. Harry Applewhite, Area Conference Minister, United Church of Christ Potomac Association; served as a delegate from the UCC to the Communist Party, U.S.A.—Domestic "peace front," the New Mobilization Committee and its successor, the People's Coalition for Peace and Justice (PCPJ).

Richard J. Barnett, Institute for Policy Studies; the New Left "think tank" which has "dedicated itself to ushering in the new society by inquiry and experimentation [and] is also doing what it can to hasten the demise of the present one." Barnett, a founder of IPS and its co-director, is a graduate of Harvard Law School and has been a member of the National Lawyers Guild. Barnett worked for the U.S. Department of State and for the Arms Control and Disarmament Agency in the early 1960's, before joining with Marcus Raskin, one of those who drafted the legislation setting up the Arms Control and Disarmament Agency, to found IPS. Barnett has been a supporter of many pro-North Vietnam "antiwar" activities, and was a visitor to Hanoi in 1969. A member of the elite Council on Foreign Relations, Barnett and the IPS apparatus serve as important links between the liberal detente establishment and the Leninist factions of the old and New Lefts.

Marion Barry, D.C. City Council; Mr. Barry, then a chemistry student at Fisk University in Tennessee, was the first national chairman of the militant Student Non-Violent Coordinating Committee (SNCC) in 1960; he has supported various "antiwar" actions by the PCPJ and other "peace" groups.

Josephine Butler, D.C. Statehood Party; participated in the opening of the CPUSA's Cabral/Tubman Center in Washington, D.C. in 1974, and has been active in the "antiwar" movement.

Charles Cassell, Chairman, OPEN [Organization for Political Equality Now]; formerly head of the D.C. Statehood Party, an affiliate of the avowedly socialist People's Party which in turn was founded by IPS and CPUSA as an antiwar tactical vehicle.

Benjamin Chavis, Director, UCC Commission for Racial Justice, Washington Office; an executive of the CPUSA's National Alliance Against Racist and Political Repression (NAARPR).

David Clark, D.C. City Council.

Charles Cobb, Sr., United Church of Christ Commission for Racial Justice; and a sponsor of a 1974 NAARPR mass march in Raleigh, N.C.

Courtland Cox, S.A. Project, Center for National Security Studies; a former member of the Central Committee of SNCC and member of the Bertrand Russell International War Crimes Tribunal, associate of SNCC leader Ralph Featherstone, killed in 1970 by the bomb he was holding, and an organizer for the North American contingent at the 6th Pan-African Congress in Tanzania in 1974, a meeting dedicated to "smashing imperialism" and socialism. The Center for National Security Studies, an IPS and Fund for Peace spin-off, was described on pages 3867 to 3868 in the Congressional Record of February 20, 1975.

William Davis, Director, National Jesuit Conference.

Rev. Carl Dianda, St. Teresa's Church.

Rev. David Eaton, All Souls Unitarian Church; well-known militant "peace activist" in the Metropolitan Washington area.

Gretchen Eick, Chairperson, United Church of Christ South Africa Task Force.

Dr. Therman Evans, D.C. School Board.

Hon. Walter Fauntroy, U.S. Congress [D.C. Delegate].

Ed Guinan, Community for Creative Non-Violence; a militant group of "Catholic leftists" associated with Philip and Elizabeth McAllister Berrigan who have been involved in various sit-ins protests at the White House during the past two years.

Sr. Charlotte Hanson, Vice President, D.C. Council of Women Religious.

Thomas Hargrave, General Executive, YMCA of Metropolitan Washington.

Roy Johnson, Chairman, GUARD [Government Employees United Against Racial Discrimination].

Eloise Jones, Chairman, Downtown Cluster of Congregations.



John Jones, Acting Executive Director, Adams Morgan Organization.

William Jones, Black Vote Coalition.  
Fr. Raymond Kemp, D.C. School Board.  
Msgr. Ralph Kuehner, Director, Office of Social Development, D.C. Archdiocese.

Edgar "Ted" Lockwood, Director, Washington Office on Africa; WOA is the lobbying office for the American Committee on Africa (ACOA). Lockwood is a former leader of Episcopal Churchmen for South Africa who once wrote to *Ramparts* magazine stating he was a liberal, no doubt in case he was mistaken for something else. A member of the board of the Institute for Policy Studies (IPS), Lockwood also serves on ACOA's executive board where two other IPS policy makers, Arthur I. Waskow and Ivanhoe Donaldson, also have served. Lockwood was associated with the Redress antiwar action in the U.S. Capitol; he is a trustee of two other radical/liberal organizations promoting detente, disarmament and a new world order, the Council on Economic Priorities (CEP) and the Center for the Study of Peace and Power (CSPP). Lockwood is a member of the stridently pro-guerrilla *Southern Africa* magazine collective.

Francis Kornegay, Jr., Washington Task Force on African Affairs.

Melvin A. McCaw, Director, African American Institute, Washington office.

Rev. Douglas Moore, D.C. City Council;  
Rev. Jerry Moore, D.C. City Council;

Virginia Morris, President, D.C. School Board.

Fr. John Mudd, Assistant Director, Office of Social Improvement, D.C. Archdiocese.

Mary Jane Patterson, Acting Director, United Presbyterian Church, USA Washington Office.

Jeremy Rifkin, Coordinator, People's Bicentennial Commission; an activist in publicizing alleged U.S. "atrocities" in South Vietnam who now heads PBC, a slick Marxist revolutionary public relations outfit which aims at perverting the ideological underpinnings of American independence.

William Sanders, D.C. Black Assembly.

William Simon, President, D.C. Teachers Union; and a sponsor of numerous pro-North Vietnamese "peace" rallies organized by both CPUSA and Trotskyist communist front groups.

Sam Smith, Editor, *D.C. Gazette*; an "alternate" newspaper originally organized via the Institute for Policy Studies.

Sterling Tucker, Chairman, D.C. City Council.

Dr. Ronald Walter, Howard University and the African Heritage Studies Association.

Fr. William Wendt, St. Stephen and the Incarnation Church; an antiwar activist who has opened his church as a meeting place for radical and revolutionary groups for many years.

John Wilson, D.C. City Council.

Nadine Winter, D.C. City Council.

Fr. Jack Wintermeyer, Newman Center, George Washington University.

The members of the "hearing" panel were listed as including:

Rev. Robert Pruitt, Panel Chairperson.

Goler Butcher, attorney; in February, 1974, the *Daily World* reported that Miss Butcher, "counselor and legislative assistant for the House Subcommittee on Africa, chaired by Rep. Charles C. Diggs," spoke at an Evening Tribute to Amilcar Cabral sponsored by the D.C. chapter of CPUSA's National Anti-Imperialist Movement in Solidarity with African Liberation (NAIMSAL). Cabral was the Marxist-Leninist founder of the PAIGC guerrillas, now granted control of Guinea-Bissau by the Portuguese revolutionary junta.

James Coates, D.C. City Council.

Charles Cobb, Jr., WHUR-FM; a SNCC activist and with Ralph Featherstone a founder of the Drum and Spear Bookstore whose Tanzanian branch was active in the organizing of the 6th Pan African Congress held in Dar-es-Salaam last July. Cobb was

reportedly a member of Rep. Diggs' staff during 1974.

Ivanhoe Donaldson, rep. for Marion Barry; while head of the New York City branch of SNCC in 1966, Donaldson accompanied Stokely Carmichael to Puerto Rico where they both participated in violent demonstrations leading to riots with the Castroite Movimiento Pro Independencia, now called the Puerto Rican Socialist Party. Donaldson has been a fellow at the Institute for Policy Studies for several years and was one of the principal organizers of the National Black Political Convention. He has also been a board member of the American Committee on Africa.

Rev. David Eaton.

Sr. Charlotte Hannon.

Roy Johnson.

Virginia Morris.

William Simon.

Dr. Ronald Walters, Chairman, Political Sci., Howard University.

Those scheduled to testify at the "Community Hearings" included:

Judge William Booth, President, American Committee on Africa; a New York City Criminal Court Judge and former chairman of the NYC Human Relations Commission who replaced National Lawyers Guild activist Peter Weiss as head of ACOA.

Yvonne Reed Chapelle, Special Assistant to Congressman Charles Diggs.

Jennifer Davis, exiled South Africa economist; a member of the *Southern Africa* magazine collective and director of research for ACOA.

Tim Smith, Director, Church Project on U.S. Investment in South Africa; a Canadian educated at the University of Toronto (B.A. 1966) Smith's interest in African matters began in 1966 when he was sent to Kenya by Operation Crossroads Africa, of whose board of directors he was a member in 1970. While attending Union Theological Seminary, he served on the Southern Africa Committee of the University Christian Movement (UCM), the "Christian new left". Smith remains a member of the collective of the militantly pro-guerrilla *Southern Africa* magazine published monthly by the Southern Africa Committee. Smith has held executive posts with the Committee for a Free Mozambique, a support group for the Marxist-Leninist FRELIMO guerrillas; with the Church Project on U.S. Investments in Southern Africa; with the Interfaith Committee on Social Responsibility in Investments; the United Church of Christ Council for Christian Social Action. Smith has been a consultant for the Council on Economic Priorities and a board member of the ACOA.

Mary Jane Patterson.

Dr. Ben Magubane, African National Congress, South Africa liberation movement; the ANC is a Marxist-Leninist organization controlled by the Soviet Union. In 1961, under the direction of the South African Communist Party, ANC formed a terrorist commando known as Spear of the Nation. Illegal in South Africa, ANC acts primarily as an exile agitation organization.

Roger Wheeler, Control Data Corporation. [The program noted that representatives from IBM, IIT & Motorola also had been invited to attend].

#### COMMEMORATION PLANNED OF BAESBALL'S 1-MILLIONTH RUN

**HON. HENRY J. HYDE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. HYDE. Mr. Speaker, baseball, America's national pastime, will reach

an unusual milestone this spring, thanks to an enterprising young man with a flair for statistics—and a public-spirited company that brought his discovery to the public.

Mark Jay Sackler, a 24-year-old radio announcer from Westport, Conn., researched the Baseball Encyclopedia and determined that someone in baseball will score the 1,000,000th run in the history of the National—since 1876—and American—since 1901—Leagues sometime this spring. At the end of the 1974 season, a total of 997,869 runs had been scored in regular season play in both leagues; 2,131 shy of the magic number.

Mr. Sackler took his idea to Tootsie Roll Industries, whose national headquarters are in Chicago; and that company, like baseball an American institution, is sponsoring a nationwide consumer project centered around the recording of the 1,000,000th run.

The player who actually scores the landmark run will receive from Tootsie Roll among other awards the sum of \$10,000, which he will, in turn, donate to the Association of Professional Ball Players, an organization dedicated to the needs of former major and minor league players. Fred Haney is president and Joe DiMaggio, first vice president, of this organization.

The 1,000,000th Run promotion is being directed by Hall of Famer Stan Musial, the former St. Louis Cardinal great Ernie Banks, the all-time star Chicago Cubs shortstop; and ex-Brooklyn Dodger pitcher, Ralph Branca.

Baseball and the Tootsie Roll Co. are to be commended for fostering projects such as this, which prove that the youth of America, as exemplified by the scores of talented athletes and creative young men like Mr. Sackler, continues to be the most vital force in our country.

#### INCREASED GASOLINE TAXES

**HON. HENRY J. NOWAK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. NOWAK. Mr. Speaker, as the time approaches when we will be debating the energy conservation bill, I would like to bring to my colleagues' attention an article from the Buffalo Courier-Express on the potential impact of certain tax provisions on the boating industry.

The committee has wisely made a tentative decision not to impose a manufacturer's excise tax on motorboat engines, general aviation aircraft, or snowmobiles, but still proposes additional gasoline taxes.

Over 100 Members of the House have signed a letter to the committee members, expressing opposition to increased gasoline taxes as ineffective in reducing consumption or producing revenues and as discriminatory to lower income groups; and expressing support for a combination of allocations and closing tax loopholes.

This article emphasizes some little known points about the tiny percentage

of fuel used in recreational boating, and the catastrophic and far-reaching effects of a disruption to the industry.

I urge a thoughtful appraisal of the following:

**ON THE WATERFRONT—BOATING INDUSTRY  
FACES TAX THREAT**

(By Joe Glaser)

Proposed tax—A complex energy conservation bill affecting fuel consuming products, introduced to the House Ways and Means committee by Al Ullman (D., Ore.), chairman of the committee, and expected to go before the House around the first of May, could, if passed by Congress, deal a serious blow to the boating industry.

The bill, H.R. 5005, was drafted by seven committee task forces as a starting point for the committee energy bill. One of its provisions calls for a 20 per cent excise tax on marine engines of 10 h.p. or more and replacement parts. The 20 per cent levy would also apply to general aviation aircraft, snowmobiles and recreational vehicles. Commercial aircraft and commercial fishing boats would be exempt.

The bill would also increase the gasoline tax to 37 cents a gallon by 1980. The current rate is 4 cents a gallon. The tax would be imposed gradually—3 cents more on Jan. 1, and then 8, 7, 8 and 7 cents more, respectively, each April 1 through 1980.

The Outboard Boating Club of America's Legislative Ledger, in alerting the boating public to provisions of the proposed bill, points out that recreational boating industry leaders agree that of all the proposals made by Washington to reduce the nation's fuel consumption, an excise tax on boat engines would hit recreational boating and the industry the hardest.

It would raise prices substantially, aggravate the buying slump, and cause substantial unemployment. It could also result in increased usage of fuel (continued use of older engines which are far less efficient users of fuel than new models) and decrease boat safety (the excise tax on purchase of motorboat engines would lead the average boatman to continue using his old boat, increasing the risks of boating accidents as boats in use become older and more outmoded). And it would be difficult to administer on an equitable basis.

An excise tax on engines for motorboats, the OBC Legislative Ledger notes, would intensify energy shortage in the United States. Less than one-half of one per cent of all fuel consumed in the U.S. (880 million gallons) is used by pleasure boats. This amount is equal to less than half a tank of gasoline per year for each automobile in the U.S. Accordingly, the amount of fuel "saved" by reducing boat usage would be miniscule.

The recreational boating industry consists of 2,500 manufacturers of marine products (excluding accessories) and 16,500 retail dealers and distributors of marine products. The industry employs 350,000 persons on a full-time basis and will have retail sales of boating equipment and services in 1975 of around \$5 billion.

These figures do not include additional firms with a significant take in the viable recreational boating industry, such as the suppliers of raw materials used in construction and fabrication of boats, marine engines and accessories, the sport fishing industry and marine insurance companies.

The excise tax would result, all other things being equal, in a decline in the marine products industry in a ratio of 2 to 1. In other words, as noted in the OBC Legislative Ledger, a 20 per cent excise tax on pleasure craft would result in a 40 per cent decline in sales—resulting in serious injury to the pleasure boat industry and a substantial increase in unemployment.

The House Ways and Means Committee, composed of 37 members (25 democrats and 12 republicans) includes three New Yorkers.

They are Barber B. Conable (R.) from Alexander, Wyoming County; Otis G. Pike (D.) of Riverhead, L.I., and Charles B. Rangel (D.) of New York City. It is to these members of the House Ways and Means Committee, in particular, that Western New York boaters, boating organizations and others interested in seeing the proposed excise tax bill (H.R. 5005) defeated, can address their protests. Cards, letters or telegrams addressed to any or all of the three committee members can be sent to the House of Representatives, Washington, D.C.

**NEW YORK ISLANDERS**

**HON. LESTER L. WOLFF**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. WOLFF. Mr. Speaker, it is with perhaps pardonable pride that I am pleased today to call to the attention of the House an achievement by a group of Long Islanders who have come a long way in a very short time, and which, I hope, still has a journey before it.

I refer to the triumph against all odds wrested last weekend by the New York Islanders, Long Island's National Hockey League team, which came back from three straight losses to sweep four hard-fought matches against the Pittsburgh Penguins.

Tuesday night the Islanders will begin their semi-final playoff series against the current Stanley Cup champions, the Philadelphia Flyers, and I want them to know that they have the admiration and support of many of us here in this House, and, of course, of their loyal fans in New York.

The Islanders have only been in the league for 3 years, and, indeed, had to fight to finish third in the regular season, thus gaining a spot in the playoffs. I know that some of us with new districts, or strong primary battles facing us, can appreciate all the better the odds the Islanders have faced successfully to date, and will wish the team all possible success for the future.

While I certainly do not wish to unduly arouse our distinguished brethren from the great State of Pennsylvania, let me assure the delegation that we in New York are confident that our boys will not be content with only half a loaf against the Keystone State.

Mr. Speaker, let me put the good residents of Philadelphia on notice—the Stanley Cup will soon be headed north to New York, where it has been sorely missed, and will be surely appreciated.

I am now pleased to submit for the RECORD the box score of Saturday night's triumph by the Islanders:

NY Islanders.....	0	0	1	—1
Pittsburgh .....	0	0	0	—0

First Period—None. Penalties—Paradise, Pit, 5-min., fighting, 2:44; Gilles, NY, 5-min., fighting, 2:44; Burrows, Pit, 3:48; Lewis, NY, 6:06; Westfall, NY, 7:27; Owchar, Pit, 11:17; Lewis, NY, 17:25; Kelly, Pit, 17:25; Campbell, Pit, 18:07; St. Laurent, NY, 18:07; Hart, NY, 20:00; MacDonald, Pit, 20:00.

Second Period—None. Penalties—Pronovost, Pit, 1:11; J. Potvin, NY, 3:11; Arnason, Pit, 15:35.

Third Period—1, NY Islanders, Westfall 4 (Mashal), 14:42. Penalties—Howatt, NY, 5:48.

Shots on goal: New York 5-6-6—17. Pittsburgh 14-11-5—30.

Goalies: NY Islanders, Resch. Pittsburgh, Inness. A: 13,404.

**COHEN RECEIVES B'NAI B'RITH  
MAN OF YEAR AWARD**

**HON. JOHN B. ANDERSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. ANDERSON of Illinois. Mr. Speaker, on April 26, 1975, our colleague from Maine (Mr. COHEN) received the B'nai B'rith "Man of the Year Award" at an awards dinner held in Bangor, Maine. In accepting that award, Congressman COHEN addressed himself to the critical foreign policy challenges confronting our Nation today as we pass through the "final painful spasms of withdrawal from our involvement in Southeast Asia." He draws attention to "the danger that in our moment of wounded pride, in this hour of confusion and doubt, that we will retreat from the sunlight of a world power into the shadows of isolationism, the comforting but illusory notion that our progress and prosperity is independent of that of any other nation."

Central to our current foreign policy challenge, according to Congressman COHEN, is the need to formulate, define, and clarify a foreign policy which is now "so filled with nuance and inconsistency that it is no longer comprehensible to the average American and therefore no longer credible." Only through such a clarification can the President hope to "revitalize the flagging spirit of the American people and galvanize the bipartisan support of Congress."

Mr. Speaker, I commend Congressman COHEN on the honor which has been bestowed upon him by B'nai B'rith, and I commend the full text of his acceptance speech to the reading of my colleagues:

ADDRESS GIVEN BY CONGRESSMAN WILLIAM S. COHEN AT A B'NAI B'RITH AWARDS DINNER UPON RECEIVING THE "MAN OF THE YEAR" AWARD IN BANGOR, MAINE, APRIL 26, 1975

I want to take this opportunity to thank B'nai B'rith for conferring this honor upon me. The magnitude of an honor is not judged as much by the recipient as by the reputation and prestige of the organization that bestows it. In this instance, there are few if any that exceed prestige and reputation of the B'nai B'rith in its dedication to the preservation of dignity and decency of people of all races and ethnic backgrounds.

I once received a letter from a young girl in junior high school. She wanted me to define bigotry and prejudice. I labored at length in trying to formulate a definition that was simple and yet not superficial.

In retrospect, I should have referred the young girl to B'nai B'rith for a definition because it has been dealing with the subject and problems for decades. As Seymour Graubard, the Chairman of the Anti-defamation League, points out in his forward to the book entitled, *The New Anti-Semitism*, "The Anti-defamation League has been synonymous for years with the fight against prejudice, bigotry and discrimination. Their weapons have been law, education and public persuasion. And in the years since 1913 when



the League was founded 'to end the defamation of Jews... to seek justice and fair treatment for all citizens alike,' there have been massive, hard-won changes in the status and security of American Jews—and indeed of all minorities."

As a result of the unending efforts of B'nai B'rith and a genuine sense of decency within the American people, we bore witness to a very moving moment in American history when Henry Kissinger took the oath of office as Secretary of State in the East Room of the White House. Dr. Kissinger said:

"There is no country in the world where it is conceivable that a man of my origin could be standing here next to the President of the U. S."

Three decades have passed since the horror of Auschwitz, Dachau, Bergenbelsen and Treblinka stirred the moral indignation of people in all parts of the world, most particularly in America. We would like to think that bigotry and bias and prejudice has been uprooted, but unfortunately it is like an ugly weed that springs up in the lushest of gardens, and must be constantly sprayed with herbicides of law, education and moral indignation. If we become complacent in pointing to our gains, and if we become sluggish or neglectful, then moral indignation will slide into moral indifference and the weeds will spread and choke the roots of our most prized flowers—of liberty, equality and justice.

I can tell you from personal experience last year that the weeds of bigotry are still lurking below the surface of civility, in the shadows of ignorance. There are people who in a time of stress—economic, social or political—look for scapegoats instead of solutions, who would turn on a people instead of resolving a conflict in principles or policies.

And so the mission of B'nai B'rith and other likeminded organizations is a never ending one. It must labor to possess that which it has won.

1975 was a critical year for the United States. It was a time filled with national tension, diversion, with internal struggle between conflicting loyalties to political parties and time-honored principles, between a President and a process.

I think that historians will look back upon Watergate as our watershed, when the American people called to the top of their agenda a scrutiny of the stated purposes of our Constitution to determine whether there was an intolerable departure between what we professed as a nation and what we in fact were practicing.

As we inch our way toward the bicentennial celebration of this Nation's birth, I believe that 1975 will prove as critical to our survival as a power as 1974 was to the survival of our constitutional system.

We are passing through the final painful spasms of withdrawal from our involvement in Southeast Asia. It is a bitter experience. Never quite sure of why it was essential for our intervention, we are even less certain and confident about the means and methods of our withdrawal. For years we were attacked at the international level for immorality, imperialism, barbarism in dropping bombs, and now that we have disengaged our forces and diminished our support, we are portrayed as a large corporation writing off a nation with all the callousness of a failing subsidiary that is no longer producing a profit. The national magazines and networks for years spoke about a corrupt South Vietnamese government that was propped up and supported by American tax dollars that were being mispent. Now that Phnom-Penh has fallen, and Saigon is on the verge of collapse, the same networks and magazines carry the pictures of burned children, of weeping mothers, of men and women holding on to the landing gear of departing aircraft, of human faces twisted by fear of slaughter. The evening news is

laced with tales of horror. Even our humane efforts to evacuate orphans was initially shattered in the wreckage of a C-5A transport plane—all while our allies look on in silence, while the United Nations Secretary General refuses to help any evacuation effort because it would be "inappropriate," while not one of the signatories of the Paris Peace Accords has responded to our repeated requests that they at least point out North Vietnam's flagrant violations of the agreements; while Thailand prepares for the closing of our bases; while President Marcos calls for a thorough review and perhaps revision of our mutual defense pact with the Philippines; and Portugal, a member of the NATO Alliance, shifts to the Socialists and Communists with the aid of Moscow.

I mention this tonight, not to renew the debate over Vietnam, our involvement or our extrication but to draw attention to the danger that in our moment of wounded pride, in this hour of confusion and doubt, that we will retreat from the sunlight of a world power into the shadows of isolationism, the comforting but illusory notion that our progress and prosperity is independent of that of any other nation.

We seem to be floating amid the debris of shattered creeds, broken values and a debased language. Two weeks ago, for example, on the academy awards, an Oscar was presented for the documentary "Hearts and Minds."

The recipients took that opportunity to send greetings from the Viet Cong and to praise the "liberation" of Vietnam. As one political observer has noted it was a statement straight out of George Orwell's 1984 where a new language (Newspeak) was developed to accommodate the means and ends of totalitarianism. War is peace, love is hate, freedom is slavery, ignorance is wisdom. And now, conquest is liberation.

The distortion of language is the precursor and preconditioner to a distortion of values. And a great deal of the debate over America's lack of direction or decency and commitment may be attributed to our inability to articulate a straightforward and clearly defined statement of our purpose and our principles. We seem to have woven in a knit one, purl two, fashion, a foreign policy that is so filled with nuance and inconsistency that it is no longer comprehensible to the average American and therefore no longer credible.

For example, in his address to a joint session of Congress two weeks ago, President Ford, in discussing Indo-China referred to the Communist powers as adversaries or enemies who had shown no interest in negotiation. When discussing Europe and the Middle East, they were referred to as potential adversaries. But in referring to trade talks with the Soviet Union and China, these nations were rarified into countries interested in easing tensions and building constructive relations.

Congress was asked to appropriate a billion dollars to ward off a defeat of our ally at the hands of an enemy, and then chastised for adopting the Jackson-Vanik amendment to the foreign trade bill which prohibited the granting of trade credits to the Soviet Union unless it allowed the free emigration of those who wished to leave that country.

President Ford warned our enemies not to use detente as a license to fish in troubled waters (which is exactly what they have done in Indo-China, the Middle-East and Portugal), but just last week the President stated "I don't think we can blame the Soviet Union and the peoples Republic of China. In this case, if we had done with our ally what we promised, I think this whole tragedy could have been eliminated."

As the columnist James Reston observed, "In other words if we had cheated on the spirit of the Paris Peace Accords as much as the Soviets did, Cambodia and South Viet-

nam would still be standing." More confusion was added when Dr. Kissinger later said that we should not turn away and ignore who supplied the arms with which North Vietnam used to make a mockery of its signature on the peace agreement.

And finally Sargent Shriver reports that Moscow is not gloating over the fall of Cambodia or South Vietnam for fear that it might stir resentment in the U.S. and endanger detente.

That is very gracious and generous of them in our dark hour. In other words, they still want our trade credits, our commerce and our technology so they can strengthen their economy while spreading the seeds of revolution or aggression in Southeast Asia, the Middle-East and now Portugal.

I raise these observations not out of a sense of berating criticism but out of concern for the conceptual and linguistic confusion that exists and must be clarified by the President if he is going to revitalize the flagging spirit of the American people and galvanize the bi-partisan support of Congress. Such a clarification is of critical importance to the state of Israel and to peace in the Middle-East—which in all likelihood will be the next point of pressure.

In recent weeks we have read reports that President Ford privately blames Israel for the failure of Kissinger's shuttle diplomacy—that the Israelis are too intransigent in their demands.

It is a familiar axiom that those who are ignorant of history are doomed to repeat it. Israel knows its history. It knows for example that in the Sinai War in 1956, President Eisenhower brought pressure on Israel to withdraw to borders that had been established in the 1949 Armistice—which had proved to be indefensible. Israel acquiesced and this set the stage for the 1967 war—which for all its success cost the Israelis more lives on a proportional basis than America lost in Vietnam. And no sooner was the war over when Israel was called upon to be generous and yield to Arab demands to return conquered territory without any concession that Israel had a right to exist and to be free from Arab calls for its destruction.

The fact is there must be compromises on part of both Israel and the Arab nations. Israel must be willing to yield some of its conquered territory just as the Arab nations must abandon their call for conquest.

Recently the Israeli foreign minister stated that Israel offered to yield the oil fields, to withdraw substantially into the strategic passes which would have remained a U.N. buffer zone. Israel even gave up its demand for a pledge of non-belligerency and agreed to a formula of non-use of force. The Egyptians refused to accept a mutual warning system that would have prevented surprise attack for each of them. Why then do we label Israel "intransigent?"

Steadfastness in the pursuit of security and survival does not appear to me to be obstinance or inflexibility or intransigence. And the U.S., if we are to remain a world power, must make it clear that in our commitment to peace we will not follow a policy of appeasement at all costs, and that in our pursuit of detente we will not sacrifice our principles under the sword of force, or for the carrot of commerce.

A clarification of language, purpose and policy must be the highest order of business of the U.S., without a clarity of purpose, and a resolution of mind and heart to cope with accumulating disorders, there will be a dangerous loss of that "reasoned self-esteem" which is the foundation upon which world respect rests.

On the day he became Secretary of State, Henry Kissinger said:

"We will strive not just for a programmatic solution for this or that difficulty, but to recognize that America has never been true to itself unless it meant something be-

yond itself. As we work for a world at peace with justice and compassion and humanity, we know that America is fulfilling man's deepest aspirations."

Kissinger was articulating a basic tenet of the B'nai B'rith, and of Hillel who phrased the moral imperatives of each person's existence in the form of a question?

If I am not for myself who will be for me? If I am for myself alone, what am I? If not now, when?

#### THE PRINCIPAL ACCOMPLISHMENTS OF THE AMERICAN BAR ASSOCIATION COMMISSION ON CORRECTIONS

**HON. PETER W. RODINO, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. RODINO. Mr. Speaker, at the association's 1969 annual meeting, the Chief Justice of the United States urged the American Bar Association to assume leadership in a comprehensive examination of our penal system. It was in response to this challenge that the Board of Governors and House of Delegates of the American Bar Association created the Commission on Correctional Facilities and Services. The commission is essentially interdisciplinary in its professional background. Judicial and lawyer members were joined by outstanding authorities in penology, criminology, behavioral sciences, psychiatry, government, business, and labor. Richard J. Hughes, former Governor and now Chief Justice of the State of New Jersey, was named as chairman and led the commission effort until August 1974, when Robert McKay, dean of the New York University School of Law and director of the program on justice, society, and the individual of the Aspen Institute of Humanistic Studies, assumed the chairmanship.

Major accomplishments of the Commission include:

Through the national volunteer parole aide program, programs have been established in more than 20 States under which young lawyers help a parolee on a one-to-one basis in the difficult task of community reentry. More than 2,000 lawyers have been trained and over 1,500 have served in the past year as volunteer parole aides. In addition, the program has developed manuals on how to organize such programs, training materials for volunteers, training courses for State coordinators, and a definitive handbook on legal rights and liabilities of citizen volunteers and their agencies. During the demonstration program's final year, it will seek under its Federal grant to encourage all States to establish permanent volunteer service divisions within their correctional departments.

Through the national clearinghouse on offender employment restrictions, 15 States were assisted in the framing and passage of legislation and regulations removing unreasonable job prohibitions on released offenders. The project has also developed widely distributed manuals and studies on techniques for removing employment restrictions, such as trade licensing prohibitions applicable to ex-convicts and civil service barriers; a variety of public information pamphlets; and a bimonthly newsletter which serves as the Department of Labor's vehicle for information on offender job programs, training developments, and employment handicaps.

In its final year of Federal support, the project will seek to increase the number of jurisdictions successfully achieving legislative or regulatory revision to half of the 50 States. It will also lay the ground work for continuation of its work and advocacy by other national organizations and civic groups.

Through the correctional officers education program, the commission joined forces with the American Association of Community and Junior Colleges to help double the number of junior college degree programs for guards and line officers in the period 1971 through 1973—from under 50 to over 100 programs involving enrollment expansion from roughly 7,000 to 13,000 correctional officer students. In addition, standards for line officer education, remedial legislation and career service guidelines, and important research on educational needs and resources was produced. At the time of program completion in late 1973, the 2-year correctional education degree had established itself as a recognized offering for line officer career development.

Through the Resource Center on Correctional Law and Legal Services, the commission has made an important impact in the rapidly changing body of case law, legislation, and administrative regulation covering all facets of correctional endeavor. Work of the Center has included submission of three Supreme Court amicus briefs on major issues of correctional law; development of handbooks on offender legal services law; paralegal utilization; a comprehensive compendium of model correctional legislation and standards; national surveys of parole conditions, sentence credit practices, and prison disciplinary procedures; monographs on such major legal services issues as rights to medical care, censorship, disciplinary due process, and prison law libraries; a training handbook on prison law for correctional workers; a manual on how to litigate prison cases for legal services attorneys; and a profile series on ombudsman and grievance mechanisms for early handling of inmate complaints and problems. Direct aid has been provided to several States in code revision, negotiation of new prison regulations, and training of correctional personnel. The Center is now completing its work with a major study of court decrees as a technique for implementing needed correctional system reforms.

Through the bar activation program for correctional reform, the commission has stimulated a ten-fold increase in the number of State and local bar committees constituted to work exclusively on penal reform—from 5 to 50 such committees during 1971-74—and provided a variety of technical assistance materials, program ideas, and other guidance in advancing local improvement efforts. This effort—completed in mid-1974—paved the way for the ABA's massive new program to provide not only technical and backup support but actual grant awards for State and local bar association work in penal reform—see BASICS program described below.

Through the National Pretrial Intervention Service Center, the commission has launched planning efforts and is assisting in the development of new pro-

grams for early diversion of young or nonserious offenders in 10 metropolitan areas. It has also produced information bulletins, a comprehensive analysis of legal issues, a handbook of operational profiles, a source book to guide planning of new programs and is now completing an extensive National Science Foundation study of evaluation research on the effectiveness of such programs. Important work has also been undertaken in the area of addict diversion through two monographs produced jointly with the Drug Abuse Council.

Through the statewide jail standards and inspection systems project, the commission has encouraged legislation and enforcement machinery to establish minimum standards of operation, quality, and service for local jails and juvenile detention facilities. It has worked with four States which actually succeeded in enacting jail standards legislation, has helped many others to consider new legislation or strengthen existing programs, and has produced a variety of handbooks and bulletins on designing such programs or improving their operations. A special study of the jail standards machinery of three States was also completed with Federal grant support and a widely distributed source book on female offenders in the Nation's jail systems was prepared.

Through the clearinghouse for offender literacy programs, the commission has launched regional training conferences for correctional educators covering more than 40 States and has produced a variety of handbooks to guide development of effective reading programs in prisons, planning for educational program needs, use of proper diagnostic and test procedures, reading improvement packets focused on such important subjects as job applications, filling out government forms, et cetera, and a series of profiles of outstanding prison literacy programs. The clearinghouse also completed a survey of all prisons and major jails in the country suggesting that less than one-half of all incarcerated prisoners can handle the sixth grade reading level now required even for most manual and everyday service jobs in the Nation. The clearinghouse is now engaged in a more massive workshop program which will involve some 600 correctional educators in all 50 States and lead to the stimulation of "back home" literacy volunteer tutoring programs in a number of correctional institutions.

Through its new Correctional Economics Center, the commission is attacking the critical problem of costs and resources needed to advance penal reform. It has already produced monographs for correctional administrators on cost effectiveness analysis, the value of inmate manpower, economic analysis of community corrections centers, cost and resource aspects of women offender programs, and institutional food service programs. The center has provided major assistance to six States with fiscal and cost allocation projects and, under a special Federal grant, is undertaking a comprehensive cost analysis of the dollar and resources needed to realize correctional reform proposals and standards.



Through the United Nations penal reform support program, the commission undertook the sponsorship of a special U.N. conference to plan the correctional agenda and develop recommendations for the coming Fifth United Nations Congress on Prevention of Crime and Treatment of Offenders—Toronto—September 1975; the coordination for the U.S. Government of a 50-State survey on implementation of the U.N. Standard Minimum Rules for Treatment of Prisoners; the launching of a campaign to stimulate formal adoption of the U.N. rules by the 50 State governments—thus far 5 States have responded; and development of monographs on enforcement mechanisms for the U.N. rules and their adaptation to community supervision programs. As a major goal, the project is seeking to encourage the U.N. and member governments to authorize development of world standards for offenders under community supervision comparable to the now well-accepted rules for treatment of prisoners in penal institutions.

In 1974, two new major projects were activated which offer much promise for the cause of correctional system improvement:

First, the publication of Corrections magazine—a national bimonthly magazine on correctional developments and innovations, featuring tough-minded investigative reporting and an attractive Fortune magazine-type format heretofore missing in the correctional literature. This is being produced through an affiliated project, Correctional Information Service, Inc., with the commission serving as a monitor, grant conduit, and facilitator but not the direct implementer of this needed reform tool.

Second, the launching of BASICS—Bar association support to improve correctional services—a major new million-dollar program of financial grants to State and local bar associations for well-defined projects to achieve a concrete correctional reform goal. As of the close of 1974, BASICS had awarded three action grants and 78 study/planning grants to State and local bars across the Nation for efforts ranging from prison legal services through jail improvement, elimination of offender employment restrictions, establishment of pretrial diversion programs, and comprehensive revision of State correctional codes.

In addition to the foregoing project efforts, a number of additional accomplishments and initiatives have been achieved. These include:

TV announcements. Sponsorship and dissemination of a series of TV public service announcements on behalf of correctional reform subjects which were each seen by more than 100 million viewers in the Nation's largest television markets.

Law reporter. Continued sponsorship, with the Young Lawyers Section, of the Prison Law Reporter, the only such legal publication now available for attorneys interested in correctional law.

Minority involvement. Continued advocacy through literature, meetings, review of proposed Federal regulations, et

cetera, for increased representation of minorities on correctional staffs.

AMA collaboration. Major assistance to and partnership with the American Medical Association in the launching of a national program to increase medical and health care in jails and prisons, including commission compilation of what is currently the standard resource and materials book in this area.

Legislative compendium. Publication with the Council of State Governments of a comprehensive compendium which brings together, in one place and as a valuable reference tool, all major model acts and standards of responsible professional organizations dealing with some facet of penal reform.

Professional association development. Assistance to the national professional organization of corrections, the American Correctional Association, in development and funding of a project which broadened and unified its coverage and representation of juvenile corrections workers and in support of a system of accreditation for correctional agencies and facilities.

Attica documentary film. Sponsorship of the official filmed report of the New York State Special Commission on the Attica Prison Riot, the first visual undertaking of this kind by any major governmental investigating commission, and maintenance subsequent to the initial national television broadcast in September 1972—of a free national loan service for colleges, prison personnel, citizen groups and all others interested in viewing the film.

In addition to involvement of sister ABA sections and committees, the Commission has sought cosponsorship of relevant projects by such national organizations as the National District Attorneys Association, Council of State Governments, American Correctional Association, National Association of Adult Public and Continuing Education, American Medical Association, Drug Abuse Council, National Civil Service League, and American Association of Community and Junior Colleges. Thus, the Commission has proved a vital force for correctional improvement not only in its own right but has mobilized the private professional sector, both inside and outside the bar, on behalf of the important work that lies ahead in making our correctional systems work more effectively.

#### AMENDMENTS TO H.R. 49 AND H.R. 5919

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. DINGELL. Mr. Speaker, I wish to take this opportunity to announce that I have prepared, and expect to offer an amendment to H.R. 49, and to any bills offered as a substitute for that measure, when it is before the House later in the week.

The amendments which I will offer are designed to eliminate the possible conflict between the language of those proposals and the language of the energy legislation which my subcommittee presently has under consideration. The language proposed by the Committee on Armed Services, on pages 5 and 6 of H.R. 5919, might have the effect of allowing the allocation of oil resources in a manner which would be entirely inconsistent with a national allocation plan developed by the Federal Energy Administration. I believe that this problem should be alleviated, and consequently have drafted language to do so.

I hope that the managers of this legislation will find themselves able to accept this amendment.

The amendments to H.R. 49 and H.R. 5919 follow:

H.R. 49

Page 12, line 4, strike "Federal, State"; and insert "State".

H.R. 5919

Page 6, lines 5 and 6, strike "Federal, State"; and insert "State".

#### ODDS AND ENDS

**HON. PAUL SIMON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. SIMON. Mr. Speaker, James Choissier edits the Benton Evening News of Benton, Ill., and writes a well-read column, "Odds and Ends." Sometimes there is a tendency in Congress to believe that back in our home districts people do not understand the thrust and weaknesses of U.S. foreign policy. To remind us that back home there is more understanding than many realize, I am inserting a recent editorial column by my friend Jim Choissier at this time, in the RECORD:

[From the Benton (Ill.) Evening News, April 21, 1975]

ODDS AND ENDS

The moral error of U.S. foreign policy in supporting strong men who assume dictatorial powers over their people has always been evident.

The strategic error became apparent today when Nguyen Van Thieu resigned as president of South Vietnam and prepares to flee. The figurehead has stepped down, and the U.S. has no allegiance from the mass of people we were ostensibly trying to help with our investment of 50,000 lives and an almost unestimable flow of dollars.

The United States does have a stake in friendly relations in Southeast Asia, as, indeed, in all parts of the world. World trade, natural resources and the very rightness of peaceful existence intertwine one part of the world with another.

But in Vietnam, as in Greece, Portugal and elsewhere we have aligned ourselves with those who hold command by force and terror, rather than with the people themselves. This is a strange concept for a nation where self-government was first brought into actuality.

We may raise another straw man in South Vietnam to support, just as we may do in so many other areas where we have suffered setbacks in prestige and respect. So long, however, as we contribute to keeping people in subjection, rather than assisting them, we will continue to suffer major disasters, just as we have in South Vietnam.

## REFLECTIONS ON A THIRD FORCE

**HON. DONALD W. RIEGLE, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. RIEGLE. Mr. Speaker, our former colleague Allard Lowenstein has written an important article entitled "Reflections on a Third Force," which I am inserting at this point in the RECORD.

## REFLECTIONS ON A THIRD FORCE

(By Al Lowenstein)

Governor McCall of Oregon is using a "Third Force" as the best way to deal with the grave national problems which have not been eased by the general yawn that has greeted the 1976 campaign to date. This "Third Force," Governor McCall says, would provide "fresh leadership" and would "make government responsive." It would not be a third party, apparently, or he would call it that.

But what then would it be? A national lobby—a newly-McCalled Common Cause? A sort of ADA-of-the-middle, stressing its bipartisanship by finding more "good" Republicans to embarrass with endorsements, and adding more letters to the alphabet of reform groups in and around the fringes of the Democratic Party? Or an independent candidacy for President, possibly like Senator McCarthy's—possibly Senator McCarthy's if joined by Governor McCall?

I respect Tom McCall. He has shown independence and courage, though not, perhaps, so much as we are now supposed to believe (his hero is Nelson Rockefeller). But even limited independence and courage are useful qualities not typically found in Republican governors, or—for that matter—in politicians of any party. Still, these qualities do not constitute or substitute for a program. Nor is "making government responsive" a program, or even a catchy new battle cry. Jobs, prices, transportation, taxes—these are not battles one can win (if you will pardon the phrase) by employing catchy new battle cries, in any case.

It can be argued that, absent simple solutions, effective leadership is the best way to start—leadership which would display, among its other virtues, independence and courage. But programless leadership that cannot get itself elected cannot "make government responsive" or do much of anything else.

Robert Kennedy was the last American politician whose personal qualities and sense of program made him at least potentially broad enough in his appeal to get elected as a "Third Force"—and he wisely waged his battles within the Democratic Party. Without a candidate of similar transcendent appeal, a "Third Force" candidacy seems mostly an announcement that one wishes to sound noble without facing the burdens of governing.

The dilemma of Tom McCall is genuine and understandable. He is a decent and sensible man troubled about the condition of his country. He is also a Republican unhappy about the record of his party, and doubtful as well about the purity and purpose of the Democratic Party—which also is uncertain of its purity and purpose. His preference for Nelson Rockefeller for President suggests that his real hope is national reform via taking over the Republican Party. Now, clearly someone should take over the Republican Party, but to suggest that a Rockefeller takeover of the party would represent new hope is to inject terminal humor early on.

Which brings us back to the question of how useful it would be to put together another out-of-power group to try to strengthen the forces of virtue in both parties. It is my view that energies available for this kind of effort would be spent more usefully in working to improve the quality of the second force that will be presented to the voters next time around.

Meetings like Congressman Don Fraser's in Chicago last month are efforts to do just this. In fact, Governor McCall could do a lot worse than to swap Nelson Rockefeller for Don Fraser if he wants to help provide a fresh leadership which really might make government responsive—and which has a program to which decent and sensible men could rally.

## A TRIBUTE TO STEPHEN J. SOLARZ

**HON. PAUL SIMON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. SIMON. Mr. Speaker, one of the finest Members of Congress is the distinguished gentleman from New York, STEPHEN J. SOLARZ. I predict his service to the country will be long and productive.

In the report from the Committee on International Relations there was one most significant paragraph, which Congressman SOLARZ wrote:

Late last week I had an opportunity to discuss the question of the evacuation of Americans and Vietnamese from Vietnam with Mr. Pham Van Ba, the head of the permanent mission in France of the Provisional Revolutionary Government of the Republic of South Vietnam, in Paris. Mr. Ba indicated to me that the PRG would be willing to permit Americans and those Vietnamese who so wish to leave Vietnam without fear of military intervention. While I do not know to what extent Mr. Ba's assurances accurately reflect the real view of the PRG, and the Democratic Republic of Vietnam with which it is associated, it seems to me that it is incumbent upon the Administration to promptly pursue this possibility before sending in any American military personnel.

As I speak, we are not certain what contacts the Government of the United States has with North Vietnam and the Provisional Revolutionary Government of South Vietnam. Apparently some type of contacts have been made which have at least reduced the warfare in South Vietnam temporarily. The lull in the attack on Saigon is encouraging, temporary though it may be.

Whether the leadership of our colleague, Congressman SOLARZ, had anything to do with the current unacknowledged communications I do not know. And lest I be misunderstood, I do not advocate individual Members of Congress going off and negotiating for the U.S. Government independently. That would violate the Constitution.

Congressman SOLARZ did not do that, but he took the initiative to do some exploring, to ask questions, to probe to see what might be done to move toward a minimum amount of bloodshed in a difficult situation. I personally am grateful to him, as I believe most of us are who

are aware of his leadership in this matter.

ADDRESS OF HON. JAMES R. SCHLESINGER, SECRETARY OF DEFENSE

**HON. RICHARD BOLLING**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. BOLLING. Mr. Speaker, the Honorable James R. Schlesinger, Secretary of Defense, analyzes our defense posture in the following speech to the Overseas Press Club on Tuesday, April 15. The speech is an important and informative one which deserves careful attention:

ADDRESS BY THE HONORABLE JAMES R. SCHLESINGER, SECRETARY OF DEFENSE

It is my intention this evening to discuss the historic ebb and flow of American sentiment regarding the proper role and responsibility of the United States in international affairs. Examination of these alternating tendencies is, I believe, essential both to understanding and to establishing the future directions of American policy. But before going into these matters in depth I should like to deal with two immediate issues.

First, the American society now is clearly passing through a bad patch. Nonetheless, make no mistake about it: this is a highly resilient society, perhaps preeminently so among the nations of the world. How and how quickly the United States passes through this transitional period is of vital importance not only from the standpoint of the internal health and cohesion of our American society, but also from the standpoint of the American impact on the stability, security, and well-being of other free states around the world.

Today, in contrast to the situation that existed before 1945, there is no acceptable alternative to deep and steady American support of and participation in the security of other free states. The only alternatives are either Finlandization or Polandization, depending on whether one happens to be an optimist or a pessimist. Such an outcome might be tolerable to the relatively few advocates of "little America"; it would be wholly intolerable to everybody else.

Second, I must refer to the tragic events in Southeast Asia—the prospective fall of all Cambodia cities still held by the government and the attempt by the Republic of Vietnam to stabilize its position in Cochinchina after the collapse of its forces and position in the northern-two-thirds of the country. We cannot predict precisely how successful this attempt will prove to be, but the Vietnamese deserve not only our hope for their success, but our continued support.

This is not the time to attempt a detailed assessment of what has transpired in Southeast Asia. Perhaps a full understanding of these events will never be available, and for this reason we should endeavor to keep our passions in check—and, above all, to look to the future.

Touching upon the developments in Southeast Asia is nonetheless desirable because of the light that recent events there shed on the broader compass of American policy. Let me therefore mention the symptoms inherent in this course of events. It reflects the historic misunderstanding regarding the necessary role that force plays in the settlement of international disputes, on the one hand, and the role of noble intentions supported



by moralizing but unsupported by physical force, on the other. In the absence of physical security it is apparent that hearts and minds are not enough.

Perhaps more important, the steady and, subsequently, the flagrant violations by the North Vietnamese of the Paris Accords, which they have treated with the historically familiar contempt enshrined in the phrase "a scrap of paper," should give us pause. It is an object lesson regarding how much constraint on the actions of at least one communist state such pledged treaty obligations have when the force balance becomes unfavorable. It illustrates, most dramatically, I believe, how our valid hopes for detente directly depend upon the retention of an underlying equilibrium of force in the areas of vital importance to the free nations of the world. Detente, as President Ford has stated, cannot be regarded as a license to fish in troubled waters.

Let me turn now to my wider issue for the evening: the historic swings in American sentiment regarding the role the United States should play in the external world. Conflicting views on this issue may be traced back to 1898, when, during the Spanish-American War, for the first time the United States exerted its power at a distance far removed from the North American continent. American sovereignty over the Philippines was the start of a steady, though frequently superficial, involvement in Asian affairs. It is interesting to note that this preceded by almost two decades any American military involvement in European affairs, though the latter was to prove to be far deeper. A characteristic of the American role in this period was to proffer high moral principles, sharply at variance with the underlying power realities, as guideposts for the conduct of their affairs by the other, somewhat skeptical, powers.

Already certain characteristic attitudes of the American public had been revealed. Quite recently the Secretary of State has posed the question: what kind of people are we? It runs parallel to Winston Churchill's defiant question in the aftermath of Pearl Harbor: what kind of people do they think we are? The question is a valid and important one. I shall attempt to deal with it, drawing on the relevant historical evidence.

The American people are highly idealistic, given to moral enthusiasm—reflected in such expressed goals as "make the World Safe for Democracy," the Four Freedoms, or the preservation of the Free World. The American people are also susceptible to disenchantment, when others fail to share our moral enthusiasms or embrace our own patterns and attitudes. In consequence, one discerns alternating patterns of enthusiasm and disenchantment. It helps to explain why the United States stands ready to embark on great crusades such as World War II, or even the Cold War—while rapidly becoming disillusioned with police actions or dealing with insurgencies. And oscillation in the public mood can become quite exaggerated in the course of public discussion.

In addition it should be reiterated that the American society is a highly resilient one. While it can be volatile in opinion, i.e., publicly expressed opinion, it is for a democracy remarkably tenacious of purpose, as I think the overall history of the war in Southeast Asia would indicate. Under attack, as the response to 7 December 1941 so graphically illustrates, dissension disappears and is replaced by a remarkable cohesion and unity of purpose.

This alternating pattern may be discerned throughout the Twentieth Century. The plunge into the first World War came after a policy of "being too proud to fight," and resulted in the elaboration of morally fetching but false hopes for the aftermath. It is sometimes said that our failure to join

the League of Nations "broke the heart of the world." I am not sure that the line of causation did not run the other way around. The postwar reaction in the United States reflected our disenchantment that other nations had failed to be captured by our own moral enthusiasm. Instead, to our great displeasure, they continued to focus on the power realities. We ourselves turned away from the League of Nations not because of its obvious weaknesses and its inability to impose sanctions, but because of our failure to ignite the rest of the world with our moral enthusiasm as well as some petulance about being unappreciated.

As a consequence, in the 'twenties, the United States renounced the application of force and chose to substitute the high-flown moral commitment, as exemplified by the Kellogg-Briand Pact, emphasizing the expression on paper of good intentions divorced from both the realities of power and the sanctions necessary to enforce such intentions.

In the 'thirties things grew rather worse and we reached the high point—or the low point—of public disenchantment, so well represented in the Nye Committee investigations. There was the search for conspiracy, the mixture of paranoia and self-flagellation as the substitute for seeking an understanding of history, as well as the quasi-Marxist nonsense about the Merchants of Death—which replaced freedom of the seas, unrestricted submarine warfare, Wilsonian idealism, and astute British propaganda as the explanation of our involvement in World War I. Today, of course, the disenchantment has not gone so far. I regret to say, however, that the mentality of the Nye Committee is in some places once again with us. Perhaps it is best reflected in new-left revisionist history. Nonetheless, I am persuaded that the resiliency of the American society and the good common sense of the American public in the face of arrant nonsense will keep this nation on a stable course.

Where does this leave us with respect to policy? In what channels will American sentiments flow? Predictions can never be completely certain. Moreover, that admixture of idealism and disenchantment has historically resulted in a quest for novelty in foreign policy. But in foreign policy novelty is not available. There are at the poles only two broad lines of policy. Given the underlying realities of the single strategic stage on which world politics is now played, the United States will be obliged either to support its more or less permanent interests or withdraw into the North American Continent. There are matters of degree, of course, but in the face of the underlying realities there are no novelties suddenly to be discovered.

What then are the permanent aspects in the position of the United States that inevitably will frustrate that search for novelties in foreign policy? One interpretation which stresses the unadorned assessment of power realities—and leaves out both the role of hostile ideologies and the American sense of mission—has been elegantly stated by George Kennan (in an earlier phase):

"... it was essential to us ... that no single Continental land power should come to dominate the entire Eurasian land mass. Our interest has lain rather in the maintenance of some sort of stable balance among the powers of the interior, in order that none of them should effect the subjugation of the others, conquer the seafaring fringes of the land mass, become a great sea power as well as land power, shatter the position of England, and enter—as in these circumstances it certainly would—on an overseas expansion hostile to ourselves and supported by the immense resources of the interior of Europe and Asia."

Kennan's summary is not a complete

statement of our policy or a full description of the motivation that lies behind any American policy. It fails to include such important ingredients as the American sense of mission, the legitimate desire to preserve liberty so that the United States can flourish in a closely integrated world in which other states share to a considerable degree the values that inspire the American spirit, the appropriate repugnance for hostile and totalitarian ideologies. Nonetheless, in the existing complex of international pressures, it represents a pragmatic guide to overall policy.

Given the realities, it explains why American forces have been and must continue to be deployed overseas. It explains why the United States and its allies must take quite seriously the need to retain a military balance—and to study carefully the changing requirements of strategy and force structure. In light of these realities, it explains why no novel discoveries will suddenly eliminate the continuing responsibility of the United States as the mainstay and cohesive force among free nations.

A substantial reduction in the American presence overseas would, in the absence of compensating measures, inevitably unsettle the military equilibrium. It would force major shifts in political calculations and relationships. To take the most dramatic example, American forces remain in Germany, as the cliché goes, thirty years after the close of World War II. That, however, is no oversight. Those forces remain an essential ingredient in the security of Western Europe. They are deployed there, not by historical accident, but because of the present and prospective utility of those forces in maintaining the balance and in achieving the security of Western Europe. Despite some of the expectations in the post-Vietnam environment there is no novel way in which those forces can be withdrawn and the military balance in Europe preserved.

I am happy to state my belief that with the slaking of the passions over Southeast Asia, an improved perspective is reemerging regarding our own role in the North Atlantic community. Once again the true American stake in the external world is undergoing serious rethinking and validation. The questions of force balance and strategy, as well as the purpose and character of the American defense effort, are once again being approached as respectable issues demanding serious intellectual discipline. Though there is no desire to be the policeman of the world, there is a developing appreciation, to revise Carlyle, that without the constabulary there can only be anarchy.

I cannot suggest, however, that we are out of the emotional woods. In the recent past it has been accepted as axiomatic that American policy must be based upon a position of strength. That view continues to be supported by the American public at large. Nonetheless, in the wake of the disappointments and disillusionment with the course of our policies in Southeast Asia, even that premise has suffered from the time-honored type of disenchantment. Since a position of strength failed to achieve all of the objectives that the United States might set, perhaps we should substitute a position of weakness. It is an interesting thought. But whatever the inadequacies of a position of strength, they will not be remedied by a position of weakness.

Though there is some fashionable tendency to find virtue in American weakness, let me underscore as sharply as I can: though virtue may be its own reward, it can never be its own defense.

Readjustments of course are required. But these readjustments will, I believe, be reassuring. Tell them in other lands, not that the United States is prepared to go anywhere or to pay any price in supporting others, but that the United States will continue to play

its proper role in the support of other nations, when those other countries effectively demonstrate both a will and a capacity for self-help.

I would urge you not to infer too much from the developments in Southeast Asia. Southeast Asia remains unique. Only in the four successor states to French Indochina is the United States expressly prohibited by law from employing its military power. Elsewhere, by contrast, our treaty obligations, whether embodied in the mutual defense agreements with Japan and the Republic of Korea or in the North Atlantic Treaty, remain the highest law of the land. Our forces are deployed notably in Germany in support of our NATO allies. It will be understood in all nations, East and West, that an attack upon our forces supporting the Alliances will immediately bring to bear the full weight of American military power.

The role of American military power in the preservation of freedom, not only in the Western but in the Eastern Hemisphere, is indispensable. There are, for better or worse, only two superpowers.

The current configuration of world power makes the United States the indispensable ingredient for the preservation of freedom. In the past, the United States has been described as "the last, best hope of earth." Indeed, many recognize, it is the only hope.

#### THE RETIREMENT OF ROBERT E. QUINN

### HON. EDWARD P. BEARD

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. BEARD of Rhode Island. Mr. Speaker, today a legendary political figure, Robert E. Quinn, will retire as Chief Justice of the U.S. Court of Military Appeals. As one of the truly remarkable figures in Rhode Island government, Bob Quinn was raised in the Pawtuxet Valley where he established a reputation for battling for the rights of the average person. His efforts earned him the title of "fighting Bob Quinn."

A former Rhode Island Governor, a member of the Rhode Island Legislature, a justice of the Superior Court of the State of Rhode Island, in 1950 he was honored by the President of the United States, Harry S. Truman, by appointment to his present position on the Court of Military Appeals.

It was because of his outstanding work while in the Navy that he became intimately familiar with the workings of the military law and its impact upon those in service of our country. Because of Judge Quinn's burning desire to see those in military service provided with genuine justice, he was selected for this high honor.

Like his contemporary, the late John E. Fogarty, Bob Quinn never turned a deaf ear to the needs of people. George Roche, former Chief Commissioner of the Rhode Island Workman's Compensation Commission, once said:

There isn't a day that goes by that Robert Quinn does not do something for somebody.

That is the kind of person he is. His country and his State are proud of him. Just the other day, the President of the United States indicated similar sentiments to him in a personal letter to the judge. Truly Robert Emmett Quinn is a heavyweight champion of the people.

#### PARISIAN IS FIRST FEMALE TO HEAD MURRAY SGA

### HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. JONES of Tennessee. Mr. Speaker, our Nation has at last recognized the heretofore unnoticed potential for American women. In recent years, the female population has made itself heard in the affairs of just about every facet of our Nation.

I have the great distinction of representing one of our country's younger women who has taken up the new responsibility advocated by the leaders of the women's movement. Miss Cathy Cole is a student at Murray State University in Kentucky and has recently been elected as the first female to ever hold the office of president of that institution's Student Government Association.

I think it is certainly a healthy sign in our society when we can see the enthusiasm and dedication displayed in such an undertaking by one of our country's young people. It is also a tribute that her contemporaries would elect her to such a high office based on Miss Cole's merits as an able leader among the students of Murray State rather than on gender.

I would also like to note that Miss Cole has been active prior to this election in civic and governmental functions in her hometown of Paris, Tenn., and her home State. I welcome Miss Cole into her new role of leadership and would like at this time to enter the following article from the Paris Post-Intelligencer newspaper into the RECORD in honor of her achievements:

#### PARISIAN IS FIRST FEMALE TO HEAD MURRAY SGA

Cathy Cole of Paris has become the first woman in Murray State University's history to be elected president of the Student Government Association.

Miss Cole, 21, is the daughter of Mr. and Mrs. Ardelle Cole of 806 Manley Ave. A junior, she was elected last week as the first female president of the group since it was organized in 1936 as the Student Council.

Her victory over Fayte Brewer of Murray came during the first two-day April 9-10 election ever held on the campus. With a near-record 1,582 students voting, she finished with 878 votes to 704 for Brewer.

Having served previously on the SGA as executive secretary, Miss Cole was the favorite to win the election for the right to preside over all SGA activities and to serve as the student representative on the school's board of regents.

However, Brewer, a 26-year-old senior, who ran as an independent candidate, closed the final gap to one of the closest in the school's history.

Immediately after the final machine vote was tabulated, Miss Cole said, "I'd sincerely like to meet the needs and wants of the students who elected me to serve as their president."

Asked by one of her supporters about her feelings towards her unique position in MSU history, she said, "I think it's an honor to be in this position, but not just because I'm a female, rather because the students approved what I as an individual represent."

Succeeding Eugene Roberts of Mayfield, she will take office immediately.

A total of 47 candidates filed for the 31 association positions filled in the elections.

Miss Cole has won scholastic, social and beauty honors at Murray State. She is one of the 12 members of the university's chapter of Omicron Delta Kappa scholastic and service honorary. In the fall semester she held a perfect 4.00 grade average.

She was named "ideal active" of Alpha Omicron Phi social sorority, of which she has been vice president, and was a finalist in the Mountain Laurel Queen competition.

She is majoring in child psychology.

#### SENIOR CITIZENS AND THE ECONOMY

### HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. DOWNEY. Mr. Speaker, on March 3, I held a day-long hearing in my district on senior citizens and the economy. I heard testimony from more than two dozen witnesses, including heads of senior citizen organizations, agency directors, and some very outspoken individuals representing themselves. The hearing room was filled with interested older Americans anxious to be heard by their Congressman as well as by the various public officials who were also in attendance.

Mr. Charles Bodie, director of the town of Babylon senior citizens program, was one of those witnesses. In his testimony he addressed himself to the particular problems he hears from seniors. Predominant among those problems were property taxes and transportation. I think my colleagues would benefit from reading the words of a man who is close to the concerns of our older citizens, and I insert Mr. Bodie's testimony to be reprinted in the RECORD:

#### TESTIMONY OF MR. CHARLES J. BODIE

Mr. BODIE. I prefer this interval between my speaking and Jack O'Shea. Following Jack O'Shea is like following a revival.

I appreciate the opportunity to come here to talk to you. I don't claim any expertise in the line of old age and senior citizens. I've listened to several of the speakers. In the interest of brevity, I'm not going to repeat a lot of things they said.

I feel one of the things we should keep in mind on a federal level is the Nutrition Program. How this can be cut, I can't see. We do have in New York State increasing taxes. I do know of several senior citizens who come to my club who are faced each year with tax increases of over \$300, up to twenty-five or thirty dollars a month. If it weren't for the Nutrition Program, this would mean the difference between these people eating and not eating.

As far as SSI goes, I think the income eligibility levels are far too low. I think they should be made more generous to attract more people.

I think the biggest problem we face here in Suffolk County—and poverty isn't only a federal job; it's a state job—is mass transportation. As a Director of Senior Citizens in the Town of Babylon, the only people we can reach are those who can come to us, and I know there are thousands of others who can't come to us for lack of transportation.

I know the senior citizens have volunteered at times to take others, but, because



of insurance problems, we are reluctant to do that, too. So there are many, many people we cannot give the benefit of our services to just because they can't get here.

We have many types of programs on a federal level. We have the Hot Line. As a suggestion, why can't this Hot Line have its own free number. I think then it eliminates the necessity of a toll call for several of our people, and it would make it more available to them.

I think, Mr. Downey, the biggest crunch we have as individuals other than inflation is our property taxes. It not only affects the property owner but also the renter with the increases in taxes, and most of them are on a school level. People are becoming hit and really hit hard when you tie in inflation.

I have stories of rentals where the landlord has increased the taxes not on a proportionate basis, but, if he had a twenty-family apartment, he would take one-twentieth of the tax increase and apportionate it to the renters regardless of the size of the apartment they had. A person may have a studio apartment and pay the same increase in rent for taxes that somebody with a two-bedroom apartment would pay.

The local taxes have gone to a point where it's making it impossible for people to keep their homes.

I do know this is a state problem, but I do feel the office of the Congressman would probably bring some pressure to bear and use the influence of his office to help alleviate these things.

I am encouraged by the fact that I received some literature from the state telling about some pending legislation. It's appropriately titled "Old age legislation", and I hope it doesn't get too old.

One of the things I think is of particular importance, and I would like to recommend it to everybody in the room. It's Senate Bill 744 and Senate Bill 1070 which would make partial real property tax exemptions for people sixty-five and over mandatory and reimburse the locality by the state. In other words, people sixty-five and over would get the tax exemptions, the local offices and schools wouldn't lose their tax money but they would be reimbursed by the state. I think it's only fair because people sixty-five and over have really paid and paid and paid for their schools and for their homes.

Another bill—there are six of them filed—would exclude Social Security from the definition of income in determining eligibility for the tax exemptions. I think that is a worthwhile bill, and I think people can get behind it.

I'll read one of them, but there are six of the same type. There is a Senate Bill 65 and Assembly Bill 778.

While I'm addressing myself to that, sir, I think there should be some consistency in when a person becomes classified as a senior. In New York State, for tax purposes or for State Aid, it's based on age sixty. Still, in New York State, in order to be eligible for the golden-age pass, you have to be sixty-five. Why the distinction? If we are senior citizens at age sixty for State Aid, why can't the same eligibility apply for the golden-age pass?

We have many more bills in here which take effect at a different time. These are nuisance values. Not everybody knows when these things are available. If it was a stated age, a consistent age when a person would become a senior, then, at least, people would then know to what they would be entitled instead of saying now at sixty, I'm entitled to this and sixty-five I'm entitled to that and at sixty-four I'm entitled to that.

I have a piece of good information for Jack O'Shea. There was a bill in here which would reduce the age limit for getting a free hunting license down to sixty-five.

Mr. Downey, I personally feel that for too

many years our country has been on youth oriented basis, and, therefore, they have lost sight of the fact that they have so many seniors. I do believe with the advanced state of medical knowledge today and with the decreased birth rate, the senior citizen population is going to grow and grow.

And I do believe one other thing. The senior citizens are beginning to recognize they have political muscle, and I think it's about time that the seniors banded together to do what they can for themselves because as Jack O'Shea has said, "They have paid and paid and paid."

The CHAIRMAN. Thank you, Mr. Bodie.

# CONGRESSMAN HAWKINS WARNS OF RETREAT ON AFFIRMATIVE ACTION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. RANGEL. Mr. Speaker, the urgent economic recession must not be allowed to destroy the progress this country has made in ending job discrimination.

Minority groups have struggled for decades to make successful inroads into the labor market, despite the presence of racism and job discrimination. Today the recession has compounded this problem by resurrecting the "last hired; first fired" syndrome, which many people thought dead or, at least, dying.

The Congress must not sit idle when programs to end job discrimination such as affirmative action, are eroded by the current economic situation. This country must continue its efforts to end job discrimination, in spite of our economic problems.

At this time I would like to share with you an article by our distinguished colleague, AUGUSTUS HAWKINS, which appeared in the April 1, 1975 edition of the Boston Evening Globe. Its content will hopefully add to the knowledge my colleagues already possess regarding this very important problem. The article follows:

## ANTIDISCRIMINATION JOB LAWS IN DANGER

(By Augustus F. Hawkins)

A survey report recently released by the Equal Employment Opportunity Commission on employment discrimination in San Diego and Miami, indicates that minorities and women significantly hold many of the lowest paying jobs in those cities.

Conversely they also hold, in insignificant proportions to their numbers, only few high paying jobs.

Miami with 1270 reporting establishments, employing 213,686 employees, had a Spanish-speaking work force of 23.3 percent; blacks represented 12.4 percent of the work force.

While more than half of the white females were employed as office and clerical workers, 73 percent of the black males, and 54 percent of the black females were employed in the lowest paying jobs as laborers and service workers; 54 percent of Spanish-speaking males, and 54 percent of Spanish-speaking females were also in the low paying laborer and service worker categories.

One of the conclusions that one can make even in light of the preliminary nature of this survey (Birmingham and Cincinnati will be the next reporting cities in this series) is that job discrimination is still a crippling

employment problem in the United States for minorities and women.

The dynamics of this serious issue will become even more crippling if the economic situation doesn't improve, especially as the question of nondiscriminatory hiring, and equal employment opportunity, begins to experience mounting attacks against equal employment opportunity laws and on affirmative action goals. And also as equal employment laws come into conflict with labor union seniority systems.

These organized attacks on public persons they project hiring (and when), laws and presidential orders supporting affirmative action goals contend that affirmative action programs promote quotas and reverse discrimination.

The organizational attacks, coming from some corporate sectors, coordinated higher education faculties and ethnic and religious groups, are an effort to discredit and defame the intent and character of the nation's anti-discrimination employment efforts.

In essence, affirmative action guidelines forbid employment discrimination by firms, organizations, institutions and agencies with 50 or more employees or with goods or services Federal contracts of \$50,000 or more. Contractors doing business with the Federal government must have affirmative action plans, which must show how many minority if minorities are underutilized or underrepresented in their institutions.

The anti-affirmative action groups contend that affirmative action goals and timetables are quotas; they don't like quotas. The anti-affirmative action groups also say that quotas cause "reverse discrimination" and that white males therefore are being victimized by affirmative action. All of these contentions are incorrect and racist in tone.

The Legal Defense Fund of the NAACP says that "quotas imply" a fixed number or set ratio that must be filled and generally cannot be exceeded. Goals, however, in LDF's view, provide a yardstick for judging the efficiency of a program in achieving equality.

We believe that job discrimination will end if affirmative action is truly affirmative and aggressive.

## TRIBUTE TO ARMENIAN PEOPLE

HON. JIM LLOYD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. LLOYD of California. Mr. Speaker, I would like to pay tribute to the Armenian people of my district, my country, and the world, as they mourn the 60th anniversary of their national tragedy. The following words from Annie Dermengian, of West Covina, Calif., express my sentiments and I am sure, of sentiments of the Armenian people:

## ARMENIANS MOURN 60TH ANNIVERSARY OF MASSACRES BY THE TURKS

(By Annie Dermengian)

Sixty years ago, the Armenian people were the victims of the first genocide of the 20th Century, and many thousands were massacred by the Turkish government, and millions deported throughout the world.

April 24th, 1975, when the tragedy of Vietnam and Cambodia faces the world with horror, American Armenians mourn the 60th anniversary of the slaughter of their country by the Turkish government.

These events will never be forgotten, and American Armenians pay tribute to the United States for having helped to save the

survivors of the massacres. Although the world is still in upheaval and insecure, the events of those days, and the martyrs who died at the hands of the Turks, will remain a constant reminder of man's inhumanity to man.

**CONGRESSMAN BALDUS HONORS  
ONE OF THE WORLD'S TRULY  
TALENTED AND DISTINGUISHED  
EDUCATORS**

**HON. ALVIN BALDUS**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. BALDUS. Mr. Speaker, it is my privilege to bring to the attention of my colleagues the achievements of a most remarkable and distinguished educator, Dr. Surrender Singh. Dr. Singh recently was appointed vice chancellor—equivalent to chancellor in the United States—of the newly established University of Faizabad in the State of Uttar Pradesh, India.

Dr. Singh was born September 12, 1932, in Uttar Pradesh, India. He received his education at Lucknow Christian College, Lucknow, India, finishing at Macalaster College, St. Paul, Minn., in 1956. He is presently a member of the board of directors of the Daily Gate City Co. and chairman of the Political Science Department of the University of Wisconsin-LaCrosse, Wis. Dr. Singh is a published author in his field. He is listed in American Men of Science, Dictionary of International Biography, National Register of Prominent Americans and International Notables, American Men and Women of Science, Contemporary Authors and Men of Achievement.

Dr. Singh's contributions to his field include "American National Government—George Washington to Johnson" and "Twin Democracies: India and the United States."

Dr. Singh received his M.A. and P.A. at the University of Minnesota and his Ph.D. at the University of Minnesota. Having benefited from education in both the United States and India, Dr. Singh has devoted considerable effort to strengthening the bond between our two countries. He has served La Crosse University for 11 years and is now carrying his talents and goodwill to India.

Dr. Singh's achievements, though, have extended beyond the literary and academic. During the time that he worked in our country, he became a part of it. Keokuk, Iowa, will remember him as a teacher at Carthage College and a friend. He joined the Keokuk Rotary Club and was active. He worked with the Wisconsin State Political Science Association and was steadily recognized, first as secretary in 1970, as vice president in 1971, and president in 1972. He is a member of various boards and committees at La Crosse. This year, he will return to Wisconsin to finish out his duties as coordinator of the International Conference on the Status of Women, which will be held in La Crosse this year and host delegates from more than 40 countries.

Dr. Singh is fortunate to be married to

Mrs. Virginia S. Singh, with whom he has established two schools in India and several other village uplift projects. Virginia graduated from Isabella Thoburne College with B.A.L.T. and M.A. from Peabody College, Nashville, Tenn.

Dr. Singh continued an active participation in the affairs of his native country during his stay in the United States. He managed a Lucknow school since 1969 and was a member of the Board of Directors of Suraj Paper and Pulp Co., Uttar Pradesh, India, in 1974.

I have every confidence that Dr. Singh will share with those he works with in India a rich collection of academic and everyday experiences. Dr. Singh's experiences, first in India, then in the United States, and now back to India will serve as a bridge of understanding and goodwill between the two countries. In his own words:

I am not entirely severing my contacts with this University here in La Crosse which I admire so much and where I feel comfortable and at home. One of my ambitions is to establish with the advice and help of Chancellor Lindner (of the University of Wisconsin-LaCrosse) and others, some sort of meaningful relationship between our two universities. Perhaps, it can involve an exchange of students, faculty and administrators.

Throughout his long service to both countries, and despite his accomplishments, Dr. Singh has never lost sight of his mission. In the spirit of humility and goodwill as practiced by Dr. Singh, I commend him to India on behalf of the Congress as the "Ambassador from La Crosse."

**FRIENDS OF FRANK HAPP HONOR  
HIM WITH TESTIMONIAL DINNER**

**HON. WILLIAM S. MOORHEAD**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, one of my oldest acquaintances, Frank N. Happ, is being honored by his many friends and neighbors on Sunday, April 27, with a testimonial dinner in recognition of his 42 years of hard work on behalf of the Allegheny County Democratic Party.

Frank Happ is one of the reasons the party enjoys nearly a 2-to-1 registration advantage in Allegheny County.

In addition to his many party positions, including chairman of the Ross Township Democratic organization, a post he has held for 44 years, Frank served in State government under both Republican and Democratic Governors—a tribute to his ability and skill.

Frank was born in the city of Pittsburgh 74 years ago. Later in life he moved to the city's northern suburbs in nearby Ross Township.

He worked tirelessly for local and national Democratic tickets and has received awards from both the local and national party offices for his organizational acumen.

An accountant by training and profession, Frank and his lovely wife of 49

years, Marcella, have 3 children and 15 grandchildren.

With this brief review of his achievements and victories, I want to extend my sincere and heartfelt congratulations to a great friend, an excellent party worker, and a good human being, Frank N. Happ.

**JOBS AND CRIME**

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. MILLER of California. Mr. Speaker, the high unemployment which has been affecting our Nation for so long brings with it not only financial hardship but also terrifying social consequences. Many Americans note with grave concern the parallel rise in the jobless and crime rates. A recent article by Tom Wicker of the New York Times succinctly illustrates the relation between these two national evils. I am inserting a copy of this article into the RECORD in order to draw the attention of Congress to the social impact of unemployment on the jobless themselves, as well as upon thousands of innocent and unoffending citizens.

[From the New York Times, Apr. 25, 1975]

JOBS AND CRIME

(By Tom Wicker)

When the F.B.I. published sharply higher figures for the incidence of crime in 1974, Attorney General Edward Levi attributed part of the increase to rising unemployment, and it was remarked in this space that Americans might well "ponder the implications of the apparent link between rising unemployment and rising crime."

Now publication of crime figures for the first two months of 1975 in New York City tend to confirm that there is such a link, as Police Commissioner Michael Codd had warned that there would be. And the more chilling truth—as disclosed in a recent survey by Soma Golden of The New York Times—is that economists believe high unemployment will be with us for at least the rest of this decade, that the rate will rise even higher before it begins to come down, and that the general public seems prepared to tolerate high unemployment for some as preferable to inflation for all.

Americans, then, ought indeed "ponder the implications of the apparent link between rising unemployment and rising crime." In 1974, as a declining economy progressively forced people out of work, the rate of crime rose by 17 per cent nationally, compared to a rise of only 6 per cent in 1973.

The rate of violent crime doubled, the rate of property crime tripled, and the link to rising unemployment was suggested by the facts that crime rose the most in the last three months of the year, as did joblessness; that cities with the most unemployment had the biggest rises in the rate of crime; and that the crime rate increases were reflected most sharply in muggings, robberies and assaults—the crimes of the streets, where poor and unemployed persons often make their way.

The January-February figures for New York City show much the same pattern with serious crimes increasing by 21.3 per cent. Robberies went up most, by 26.3 per cent. Assaults rose 20.5 per cent. In New York, robberies and assaults are often street mug-



gings—again suggesting the link to unemployment, since muggers tend to be youths, and teen-age unemployment, is now running at 20.6 per cent (and more than 40 per cent for black teenagers).

But the Golden survey tells us that it may be 1979 before unemployment—it is now nearly 9 per cent of the work force and may yet rise to 10 per cent or more—can be reduced to 6 per cent, and that economists have all but abandoned the old "full employment" target of only 4 per cent unemployment. At this moment, eight million Americans are looking for work and another 1.1 million have been so long out of work that they have given up looking for a job in frustration.

Worse, as Miss Golden pointed out, is the age-old pattern in which "the unemployment rate of women is worse than that of men, of blacks worse than whites, of teen-agers worse than adults, and of the unskilled worse than the skilled." Note the bottom categories—unskilled teen-age blacks, with unskilled teen-age whites not much better off, and the most disadvantaged of all the unskilled teen-age black female. Moreover, these particular unemployed persons usually have not worked enough to be eligible for unemployment insurance.

It seems self-evident that these patterns of unemployment are bound to have a stimulating effect on crime—particularly street crime (although it is not so clear that unemployment similarly affects murder and rape). Not only is street crime committed in most cases for economic gain; it also seems reasonable to suppose that much of it stems from the anger and frustration and alienation of those essentially rejected by a highly technological society—the enjoyable fruits of which, for the affluent many, are plainly visible to the poor and the embittered few. And even if unemployment can be reduced in four years to something like 6 per cent, Soma Golden's figures suggest that that still will mean as many as 5.5 million persons out of work, and hundreds of thousands more underemployed, poverty-stricken and probably alienated from the affluent society around them.

In attempted refutation of these views, it is sometimes asked why crime did not rise so spectacularly during the Great Depression as it has recently. One reason could be that the economic disaster of the thirties was more general, and the current contrast between widespread affluence and abject poverty was not so apparent. Another surely is that unskilled blacks had not then, to the degree that they have since, migrated from the South into the urban ghettos.

Is it not possible, in fact, that the swift and frightening increase in the crime rate in America in recent decades is due not least to the concurrent development of something like a permanent underclass not so much exploited as left behind—an economic substratum unable to rise by unskilled labor that is no longer in demand, unable to compete in a highly organized technological society, heavily damaged by being—in the cities—predominantly black in a white environment, and embittered by evidence all around of its hopeless disadvantage?

#### SEASHORE ENVIRONMENTAL ALLIANCE

#### HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. BELL. Mr. Speaker, today I would like to recognize a special group of citi-

zens in my home State of California. The Seashore Environmental Alliance—SEA—is a nonprofit California coalition of citizens groups and individuals dedicated to the preservation of California's 1,000 miles of coastline.

SEA was founded in June of 1974, less than a year ago, and has burgeoned to include 3,000 individual members, 91 affiliated organizations, and an affiliated membership in excess of 700,000.

SEA advocates the establishment of oil drilling and production off the California coast only as a last resort measure, or in the event of a national emergency situation, with the approval of Congress. Over last Labor Day weekend, SEA volunteers gathered over 200,000 signatures in support of this position.

SEA has from the outset sought input and support from legislators and officials from every level of those governments affected by coastal activities, and several of those officials are honorary members of the SEA board of directors.

Due in large part of such efforts, SEA's activities have been endorsed by the city councils of 14 coastal cities of southern California including Los Angeles. Their experts have testified before several governmental hearings and participated substantively on seminar panels and workshops and radio and television public interest programs to further citizen awareness of coastal issues.

SEA's newest program is the establishment of the environmental protection employment program—EP-EP—to assist public and private organizations in funding and staffing on a broad range of environmental projects.

SEA is a fine example, Mr. Speaker, of the tremendous assistance organized citizens can be to government in establishing appropriate public interest priorities. I am proud that this organization has emerged from the particular efforts of persons residing within my congressional district. Their high level of community concern and involvement is an inspiration to all of us associated with it.

#### TWO HUNDRED YEARS OF FREE ENTERPRISE COMMEMORATIVE

#### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. CRANE. Mr. Speaker, I have been happy to note that, as part of our Nation's Bicentennial celebration, the U.S. Postal Service has been issuing a number of stamps commemorating the Revolutionary era. Included among these have been stamps depicting: Revolutionary flags; the Boston Tea Party; the Continental Congress; communication in Revolutionary times; craftsmen in the Revolutionary era; unsung contributors to the Revolutionary cause and, just last week, the battles of Lexington and Concord. In the next few months, these issues will be followed by others depicting uniforms of the Revolutionary War and commemorating the Battle of Bunker Hill.

Because of their widespread usage, their worldwide appeal as collectors items, and their ability to inexpensively convey both a written and a pictorial message, U.S. postage stamps have a special meaning not only for Americans but also for people in other lands. As we approach 1976, these Bicentennial stamps will serve two purposes: To remind us of the sacrifices and achievements of our Founding Fathers and to remind the rest of the world that America is proud of its heritage and the principles of freedom upon which it was founded.

As the history of colonial and revolutionary America indicates, economic as well as political freedoms were a matter of great importance to those who laid the foundation for the United States of America. Much attention, and deservedly so, has been given to the political issues such as taxation without representation, the right to local self-government, the quartering of troops in private homes without permission, and the right to a fair and speedy trial by one's peers, but we cannot forget that efforts to tailor American commerce to the needs of Great Britain, to regulate American trade with other nations, and finally to blockade and, in two instances, to burn American ports had a lot to do with the ultimate decision in favor of independence.

Since the beginning of the colonial experience, Americans had been forced to rely on their own initiative for survival. Over the years, they had established their own farms, built a few small factories, and, as a recent commemorative series indicates, had become skilled craftsmen and artisans. They asked little of government—either local or British—other than to be left alone so that they might succeed or fail on their own merits. In short, they became ardent advocates of a free enterprise system.

Certainly, the benefits of free enterprise were not lost upon the Founding Fathers. They recognized that political and economic freedoms were intertwined; that you could not have one without the other. In fact, it was this very realization that united the otherwise divergent interests of the colonies and enabled George Washington to later say:

Much good to the community is predicted from the spirit of industry and economy which begins to prevail more extensively than it has ever before done.

Certainly the course of history has borne out the validity of Washington's prediction. In the relatively short space of 200 years, America has grown from a struggling nation of farmers, traders and small shopkeepers to the greatest agricultural and industrial power the world has ever known. And it has been done by relying on the strength of the free enterprise system. America's progress has been sponsored by those who took risks and did things on their own, not by those who looked to government for either subsidies or protection. As a result, we have achieved the highest standard of living in the annals of recorded history.

Mr. Speaker, I believe the Bicentennial celebration would be incomplete

without adequate recognition being given to the role played by the free enterprise system, both in the founding and in the subsequent history of this Nation. And, to my way of thinking, an excellent means of extending this recognition would be through issuance of a postage stamp commemorating "200 Years of Free Enterprise."

As a matter of fact, a proposal for just such a stamp has been made and is now under consideration by the Citizens' Stamp Advisory Committee. To date, over 100 Members of Congress and upward of 20 of the Nation's Governors have endorsed the idea and I know that it would meet with widespread approval all across the country. Therefore, to add weight to individual expressions of support, I am planning to introduce a joint resolution that would put both Houses of Congress on record in favor of the idea. I hope my colleagues will give it their fullest support.

#### A SALUTE TO THE CITY OF NEWARK'S MAJOR NEW ANTI-CRIME OFFENSIVE

**HON. PETER W. RODINO, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. RODINO. Mr. Speaker, during this past weekend, in my home town of Newark, N.J., I had the pleasure of participating in an anticrime conference which I believe represents a very significant new commitment on the part of the citizens of Newark toward creating a crime-free Newark.

The mayor of Newark, the Honorable Kenneth Gibson, began a week of intensive activity by issuing the following proclamation:

**NEWARK ANTI-CRIME WEEK, APRIL 20-27, 1975**

Whereas: Crime is a serious concern for many residents and workers in our city, and has a corrosive effect on our economic and social life as well as the personal lives of its victims; and

Whereas: The Newark Police Department and other law enforcement agencies have made significant advances in the fight against crime in Newark, but need fuller cooperation from all segments of the community in order to achieve full victory; and

Whereas: Many organizations and individuals in the City of Newark are seeing a challenge and a responsibility in the fight against crime, and are actively seeking ways to restore the sense of security necessary for our city's revitalization; and

Whereas: The South District Police Community Relations Council has taken the lead in mobilizing our resources by arranging a City-wide Anti-Crime Conference on April 26 and 27, 1975, at the Robert Treat Hotel, and inviting many community leaders and residents to take part in its discussions.

Now, therefore, I, Kenneth A. Gibson, Mayor of the City of Newark, New Jersey, do hereby proclaim the week of April 20-27, 1975 as Newark Anti-Crime Week in the City of Newark, and do call upon all our citizens, particularly those in positions of leadership, to support and attend the City-wide Anti-Crime Conference, and to contribute their ideas, their time and their energy to this laudable effort to rally all the law-abiding forces in our city for a concerted attack on lawlessness and the evils that breed

it; and I urge everyone who lives and works in Newark to place a personal role in the campaign to rid our streets of crime and to free our people from fear, so that our city may at last enjoy true peace and progress.

Of special note in the mayor's proclamation was the role played by the South District Police Community Relations Council in arranging a city-wide anti-crime conference for the weekend of April 26, and 27, 1975. This public spirited group has demonstrated that through concerted community action real strides can be made in our quest for safer cities. A special salute should be given to Mr. Bill Wallace of the South District Police Community Relations Council for his efforts in preparing the program presented at the anti-crime conference.

I found this conference to be especially practical and beneficial. Rather than focusing on the general topic of "crime in the streets" and dealing in generalities, this conference was specifically targeted to actively involve citizens in the "war on crime" in the Newark area. The program involved a great deal of interplay between the participants and members of the Newark Police Department with the police asking the citizen-participants for suggestions on ways of improving their service. Citizens were also given an opportunity to serve in a variety of ways including: block watchers, auxiliary police, special police, community crisis observers, disaster squads, and many others.

I believe this type of workshop session can go a long way toward arresting the crime rate in Newark and cities like it around the country. As I noted in my remarks to the conference:

The work of this Conference and this community is an encouraging demonstration that we can commit ourselves to the control of crime and we can find new answers and new avenues together.

Mr. Speaker, I commend the citizens of Newark for this effort.

#### THE FLAT-RATE RIPOFF

**HON. BENJAMIN S. ROSENTHAL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. ROSENTHAL. Mr. Speaker, a major topic of consumer complaints received by my office is automobile repairs. One of the most recent was from a young woman whose car would not start. The first mechanic she took it to wanted over \$100 to replace the generator and alternator. Fortunately she sought a second opinion. This time the problem was solved for less than \$1 when a small piece of frayed wire leading from the generator was replaced.

This consumer was lucky. Many others, though, are not so fortunate. For them the shock comes when they are handed the mechanic's bill. That is when they learn that the simple installation of a part costing less than \$5 can sometimes cost 10 times that much after labor charges are added.

Part of the reason behind this is the fact that auto mechanics are among the few persons in the world who can get paid for more hours than there are in a day. This is made possible by a book called the "flat-rate manual."

I am inserting in the RECORD at this point some articles about the controversial practice of using flat-rate manuals to compute labor charges for automotive repairs. The articles written by Margaret Bresnahan Carlson, coauthor of "How to Get Your Car Repaired Without Getting Gypped," are from Media & Consumer, a small but influential public interest magazine that addresses itself to important consumer issues.

The articles follow:

**THE FLAT-RATE SYSTEM: WHEN MECHANICS TURN THE SCREW YOU PAY BY THE BOOK**

(By Margaret Bresnahan Carlson)

Patrick Welsh of Alexandria, Va., paid \$96 an hour to have a screw turned on the carburetor of his 1973 Pontiac.

Although you may not know it, you may occasionally pay a comparable labor rate thanks to a largely unknown, but all-pervasive system for pricing auto repairs called "flat-rate."

Under the flat-rate system, the customer is charged not for the time spent repairing his vehicle, but for the time a reference book—the flat-rate manual—says it should. For instance, one flat-rate manual lists 1.2 hours for replacement of brake linings. That the job might take a skilled mechanic eight-tenths of an hour is immaterial. The customer will be charged, and the mechanic paid, according to the listed time.

Mr. Welsh got caught by this system when he went to pick up his car from the garage and remembered that the carburetor needed to be adjusted. He asked the mechanic to take a look. Three minutes and one screw later, Mr. Welsh owed an additional \$4.80.

Highway robbery? Not at all, at least not in the classic sense. Had Mr. Welsh gone to the garage around the corner, he probably would have paid the same price because this adjustment is part of a job that the flat-rate manual says should take three-tenths of an hour, or 18 minutes.

The flat-rate system is one of the truly creative ideas of the American enterprise system. Under it, a garage with 10 mechanics working an 8-hour day can typically bill customers for 120 hours instead of a normal 80 hours, as one would assume.

In the most extensive investigation of the flat-rate system yet undertaken, the Wisconsin Attorney General's office found that 12 new-car dealers in Madison, Wisconsin, typically charged customers for more hours of labor than there were hours in a day.

The study found that over a nine-month period, customers were charged for 61,887 man hours of labor than humanly possible. The shops were closed during most of those 61,887 hours. One mechanic billed customers for 594 hours of work over a nine-week period, but he was only working for 262 hours. Another charged customers for 648 hours but was only in his stall for 348. What flat-rate time worked out to for these mechanics was almost double time—80 hours pay for 40 hours work. Looking at it from the customer's angle, the labor charge quoted by the dealer was fraudulent by a factor of two, for when a customer pays \$30 for labor, he is not paying for two hours of work on his car as he might think, but only one hour. The effective labor rate then is actually \$30 per hour. (That the customer's bill is computed according to any system other than actual time spent is not generally disclosed.) The Attorney General's office found that the labor rate does not indicate that it will be based on anything other than the time actually spent repairing the vehicle.



By subpoenaing cumulative billing records and time cards for each mechanic, the Attorney General's office was able to compare the actual hours worked with the flat-rate time billed and find out just how inflated flat-rate times are. Although such an intensive investigation has not been undertaken for the rest of the nation, service managers and mechanics universally estimate that a good mechanic can beat the flat-rate manual on most standard jobs by 40 per cent.

A 1968 study by the Management Information Corporation, a subsidiary of the National Automotive Dealers Association, reveals that on 75 per cent of all jobs, mechanics can beat the manufacturer's suggested flat rate time, which is generally less than the times allowed by the independent manuals.

The Attorney General's office concluded that the quickest way to stop the inherent fraud in the flat rate system was to require that customers be told how much time was actually spent working on their cars and how much time they were being charged for. They proceeded to issue a trade-practice rule which in part reads:

"It is ordered...that the respondent, either directly or through any corporate or other business device in billing customers for auto repairs, including body repairs... shall disclose on the customer's repair bill the actual time required to complete the repairs, if a flat rate time or predetermined fixed time is stated on the repair bill."

Needless to say, the Wisconsin rule has not taken the nation by storm. It appears that no other state has a similar rule on the books. For now, the flat-rate system remains firmly entrenched as the predominant, if not the sole means for pricing auto repairs.

It is through the use of flat-rate manuals that the two largest consumers of auto repairs—insurance companies and the auto manufacturers under their warranty program—are able to control repair prices. The insurance companies refuse to do business with any shop that does not follow company-approved flat-rate-manual time standards. One Washington writer got two estimates for repairs to a 1974 Datsun from body shops at opposite ends of Washington, D.C., and the estimates varied by only a few dollars. Senator Hart's auto repair hearings also revealed that some insurance companies wangle a set discount based on the flat-rate time. A shop which doesn't meet the demands of the insurance companies quickly goes out of business.

The auto manufacturers require their authorized dealers to charge them for auto repairs based on factory-authorized flat-rate manuals. Thus, the manufacturers, the largest purchaser of auto repairs, set the price they will pay, while the ordinary customer, unable to wield comparable economic power, pays according to other flat-rate manuals, thus subsidizing warranty work.

This other type of flat-rate manual is known as the independent manual.

The flat-rate system came into being when manufacturers sought to develop a scheme for paying their dealers for warranty work. A brake job is a brake job is a brake job, they reasoned, and it should cost the same in every dealership.

But the system developed a life of its own, and now almost every garage in America uses some form of a flat-rate system. While a car is under warranty, the dealers generally follow their manufacturer's flat-rate book. For non-warranty repairs, dealers and independent garages turn to one of the independent flat-rate books, published by Chilton, Glen Mitchell, or Hearst, all of which are similar to the manufacturers' in style and format, with one exception—the independent flat-rate manuals' time allotments are more liberal.

As an example, the Ford manual lists one hour to the Chilton manual's 2.1 hours for

replacing starter brushes. At \$15 an hour for labor, the difference in repair bills between a garage using the Ford manual and a garage using Chilton's would be \$16.50. These independent manuals allow more time for each job because according to the publishers, the allotments are computed without the use of power tools. Critics contend that Chilton, one of the most popular independent manuals, and others simply add extra minutes to the factory time as the spirit moves them. It helps sell more books. (A copy of Chilton costs \$26 a year.) The books are used to set prices and often to justify prices for skeptical customers. It is in the garage's interest to have as much time as possible allowed for a job. Chilton is aware of this. Printed inside the front cover are instructions for use of the manual:

"Factory Time is supplied for the benefit of those shops that prefer to work on Factory Time. Chilton Recommended Labor Charges are furnished for those shops that choose to take advantage of independent time surveys."

Inflated prices are not the only problem with the flat-rate system. Putting workers on a piecework system encourages slapdash, shoddy work. In a race to clock flat-rate hours mechanics replace rather than repair parts, or don't really repair the car at all.

One example of replacing rather than repairing occurs with generators, which often fail because the brushes wear out. In the military, where time and labor are plentiful, electricians take the time to replace generator brushes. It is considered routine maintenance and is much more economical than replacing the entire generator. But the mechanic on flat rate can cut his time in half by simply replacing the entire generator because it is easier to beat the flat-rate time allotted for replacing a generator than the time allotted for repairing it. The customer ends up paying for a new generator and perhaps twice as much time as was actually spent on his car.

The flat-rate system also leads to a pitch-till-you-win approach. The mechanic cannot spend precious minutes diagnosing the problem and troubleshooting on the customer's behalf. He must do something quickly or he won't get paid. So first he replaces the spark plugs. If that doesn't do the trick he installs new points and a condenser. If the car still isn't running right, in goes a new distributor. While the car may eventually get fixed, the owner ends up paying for a bushel of unnecessary parts.

A savvy mechanic can also find time-included operations if he knows his flat-rate book well. Each flat-rate job allows a little time for getting the car, putting it in the stall, getting the tools out and locating the parts. If he can find another job to do at the same time, he can log another flat-rate time that includes the getting, putting and locating all over again, but of course he doesn't have to take the time to do it.

For instance, a mechanic who has just replaced the fan belt on your car might as well put in six new spark plugs, points, and a condenser as well. He gets a separate flat-rate time for each job, which includes locating the car, even though it's already in the stall.

Under the flat-rate system, the veteran skilled mechanics, who usually get their pick of the lot, skim off the easiest jobs, since these are the ones on which the flat-rate time is most inflated. It is the rookie mechanics, least able to handle the more complicated repairs, who get stuck with the tedious and time-consuming jobs.

By most accounts, the method of establishing flat-rate times is sloppy at best. GM, Ford, Chrysler, American Motors and others run their own time studies at the factory and tend to set low flat-rate times to limit how much they will pay for warranty work.

Even so, a good mechanic can beat factory time.

The three independent manuals, Hearst, Chilton, and Glen Mitchell list factory flat-rate time and then their own flat-rate time. Testifying at the Senate Subcommittee on Antitrust and Monopoly hearings on the auto repair industry in 1970, the editor and publisher of *Motor Age* and the Chilton manual, John Kushnerick, explained that Chilton time is computed by using 11 full-time and six part-time technicians to come up with time allotments for the installation of over 100,000 parts. They also used to suggest a labor charge that they gleaned from keeping their ear to the nation's carburetors. (Glen Mitchell still publishes a labor charge.) Critics contend that the suggested labor rate is a reflection of what Chilton thinks the market will bear. Chilton time allotments are more liberal because they don't take into account the use of power tools on the novel theory that to allow less flat-rate time would penalize the businessman/mechanic for his investment and efficiency.

In defending the widespread use of flat-rate manuals, Kushnerick claims that they bring order to a diverse and chaotic industry. Apologizing for the built-in inefficiency of a flat-rate system, Kushnerick recalled Winston Churchill's comment on democracy—it's highly inefficient except when compared to every other form of government.

Kushnerick says that without the aid of the flat-rate manuals, no garage would know whether it is headed for profit or loss. "150,000 businessmen would be operating in the dark," Kushnerick says. And besides, he contends it provides the mechanic with technical information he desperately needs, and gives the mechanic an incentive to work at top capacity.

#### THE TWO SIDES OF FLAT RATES

##### PROCLAIMED BENEFITS

The flat-rate manual makes it possible for the garage to give you an estimate on any job.

##### A CLOSER LOOK

An accurate estimate based on time allotments that bear no relationship to the actual time spent repairing the vehicle defeats the protective purpose of an estimate. In England, the flat rate is used only for estimates, with actual clock time being charged for repairs.

##### PROCLAIMED BENEFITS

A consumer pays the same price for a repair even if he/she happens to get an inefficient or slow mechanic.

##### A CLOSER LOOK

Consumers would be better served paying the actual labor time of mechanics who are tested and licensed to insure competence.

##### PROCLAIMED BENEFITS

The flat-rate manual is an averaging method and provides uniform costs to consumers as a whole.

##### A CLOSER LOOK

The system fosters mediocrity because any shop can charge the flat-rate price. Since most garages use the flat-rate system there is little competition. Even if prices were competitive, it is difficult for the consumer to comparison shop since the published labor rate bears little relationship to the actual labor rate.

##### PROCLAIMED BENEFITS

The flat-rate system gives the mechanic an incentive to become more proficient.

##### A CLOSER LOOK

The flat-rate system encourages mechanics to beat the clock. In order to build more hours and increase their income, repairmen are encouraged to do sloppy work, replace instead of repair parts, and spend no time

on diagnosis. Also, the mechanics with great seniority skim off the best jobs, that is, those jobs on which he is most likely to beat the flat-rate time. Less experienced mechanics are stuck with the more complicated jobs—the very jobs that require greater skill.

#### WHAT YOU CAN DO TO PROTECT YOURSELF

The flat-rate system is pervasive, subtle, official-looking, and touted by industry as protection for the consumer. Consequently, it is deadly.

You can shop around for that rare garage that doesn't use the flat-rate system. But if you are one of the millions of car owners who must patronize dealers and garages that use the flat-rate manuals, here are a few things you can do to protect yourself:

1. Get an estimate ahead of time. There is no reason for the garage not to give you one, since a job will cost what the book says, no matter how long it takes.

2. If your garage charges by a flat-rate manual, ask to see it before you pay your bill, and look up the repair you had done. Most garages have several manuals on hand. If you are doing business with a new-car dealer, he should be charging you by the factory flat-rate manual. If he is using one of the independent manuals, he is charging you more than he charges for warranty work. This means that you are subsidizing the dealer's favorite customer—the factory. Such wholesale discounts to large customers, while not illegal, are questionable practices and should be challenged whenever they occur.

3. Refuse to pay a labor surcharge. Many dealers are now tacking the surcharge onto repair bills to cover overhead items and service supplies. For example, one Maryland Chevrolet dealer adds 25 per cent to the cost of labor. Any company that uses the flat-rate times is that the mechanic must be compensated for those items.

4. Attorneys at the Federal Trade Commission are preparing to issue a proposed trade rule for the auto repair industry. Let them know how you feel about the flat-rate system:

Office of Marketing Practices, FTC, 6th and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

And, of course, send a copy to us:

Flat-Rate Project, Media & Consumer, P.O. Box 850, Norwalk, Conn. 06852.

#### DO FLAT RATES CONSTITUTE PRICE FIXING?

To those unschooled in the intricacies of antitrust law, the flat-rate manuals may look like price-fixing, where, instead of competing, auto repair firms agree on what prices consumers should be charged. Critics charge that the flat-rate manuals furnish garages with a schedule on which they can base a uniform charge for labor. While this may not be price-fixing, it clearly affects one of the two elements of the price ultimately charged.

But to the experts in charge of policing such matters at the Justice Department and the Federal Trade Commission, there is recognition of the problem but no pursuit. One Justice Department attorney familiar with the flat-rate system says it is unrealistic and raises some serious questions; but where, he asks, is the agreement to fix the actual price?

Well, agreement, like beauty, may be in the eye of the beholder. In antitrust parlance, an agreement is a consensus among competitors to charge the same prices for any product or service. Consumer groups, whose complaints about auto repair top all others, see tacit if not explicit agreement in the use of the flat-rate manuals. Communication among auto industry members is good. Its trade associations are well-organized, well-informed, and well-met. Adam Smith commented in *The Wealth of Nations* that

"people of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public or in some contrivance to raise prices." It is perhaps with this axiom in mind that the Supreme Court has repeatedly said, "unlawful conspiracy," and that "business behavior is admissible circumstantial evidence from which the fact finder may infer agreement." More explicitly, the Court has held that any "combination formed for the purpose and with the effect of raising, depressing, fixing, pegging, or stabilizing the price of a commodity in interstate or foreign commerce is illegal per se."

The Federal Trade Commission has been investigating the auto repair industry in general and flat-rate manuals in particular for the last year, but the commission is not expected to charge the industry with unfair competition practices. Rather it is likely to issue a Trade Rule Regulation similar to that issued in Wisconsin. The Wisconsin regulation calls for disclosure to the customer that he is being charged for flat-rate time, not for the amount of time actually spent repairing his vehicle. One who knowingly violates an FTC rule can be taken to U.S. District Court and fined \$10,000 per day. Others can be brought before the commission, which can issue a cease and desist order and require consumer restitution.

In the past, the FTC has said that the use of flat-rate manuals by competitors is likely to result in a restraint of trade. On February 5, 1965, the FTC issued an advisory opinion disapproving of a proposed flat-rate manual strikingly similar to the one already in existence, for the automotive radiator repair industry.

The manual, which proposed to make time studies and then publish the results for pricing purposes, "would be likely to result in a violation of the law," the commission said, "Even though couched in the form of a suggestion, the natural and probable result of such an action by the association would be to persuade substantial numbers of the members to charge the prices suggested, thus leaving an almost inescapable inference of an agreement among competitors to charge a uniform price . . . a clear restraint of trade under existing law." In considering the request, the commission compared the proposed manual to Chilton's. In fact, the proposal came into being because the radiator mechanics did not feel that Chilton's manual adequately covered the many and varied specialized repairs of the radiator garages.

Using much the same language, the FTC squelched a similar manual proposed for paint repairs by the Independent Garage Owners of America. The commission told the garage owners group that "the public expects to derive benefits from different prices offered by competing services."

Although there is little difference between the manuals disapproved and the ones that exist, the difference between issuing an advisory opinion and charging the industry with an unfair trade practice is substantial. As one Federal Trade Commission attorney put it, "Flat-rate manuals are not the major problem anyway. While they distort the economics of the industry and legitimize artificially-set prices, the costs associated with car repairs probably wouldn't come down if flat rates were abolished. That will take reform of the whole system."

As long as consumers and industry continue to confront one another with their group interests in hand, flat rates will remain an issue. Consumer groups have learned to chip away at marketplace abuses one at a time, and a new awareness that flat rates exist is prompting calls for change. The FTC's proposed remedy of disclosure is a beginning. A dollar's work for a dollar's pay may not be far behind.

#### UNSAFE AT ANY FLAT RATE

About 55,000 people are killed each year in cars. Statistics aren't kept on how many of these can be blamed on poorly repaired or defective vehicles, but the Department of Transportation has recognized at least part of the problem by establishing an Office of Defects which is responsible for recalling cars with factory defects. As yet, however, no one has devised a system for recalling cars with mechanic-inspired defects.

Haste, as we well know, makes more than waste. Mechanics, pushed by a silent but unyielding boss called the flat-rate manual, could be more prone to mistakes. Some mistakes a mechanic makes just cost money. But others could have a far more serious cost.

One recent incident, which involved a *Media & Consumer* editor, highlights the problem. Our man took his Ford truck for repairs to a dealer. Among other things, the garage fixed his directional signals in all but one major respect—the right signal light blinked when he flipped the left-turn signal and the left signal blinked when he hit the right-turn signal. It wasn't until a car swooped by on the driver's right-hand side when he thought he had his right-hand turn signal on that the truck owner knew his signals were reversed. Had an accident occurred under these circumstances, it would have most likely been attributed to driver error when in reality it was a mechanic's error.

#### INDIA HAILS U.S. SETBACK

#### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. ASHBROOK. Mr. Speaker, I can only wonder why the majority of Congressmen continue to vote for billions of dollars in foreign aid. Commonsense would certainly tell us otherwise.

Between 1946 and 1974 the United States has handed out more than \$164 billion to foreign nations. And what do we receive from these nations in return? Usually all we get for our money is a kick in the pants.

India is one of the prime examples. We have given millions of dollars to that country. We have sent them shipload after shipload of grain to help feed their people.

When the United States suffers some setback, however, India crows at our misfortune. Typical is their response to the Indochina situation.

As the Communist armies march over Cambodia and South Vietnam, the Indian Foreign Minister states that the American reverses are "a gratifying vindication" of India's foreign policy. According to the Foreign Minister:

They represent the inevitable victory of forces of nationalism over attempts to undermine such forces through outside intervention, and constitute a gratifying vindication of the consistent policy maintained by us on this question over the years.

This beggar nation has a lot of nerve to refer to the forces of nationalism after it has come to the United States year after year with hat in hand, asking for handouts.

When is our Nation going to learn



from past experience? When is the Congress going to bring a halt to the foreign aid giveaways? I urge my colleagues to stop this waste of taxpayers' funds.

Following is the text of an article from the April 23 edition of the Washington Star, "U.S. Indochina Setback 'Gratifying,' India Says":

**U.S. INDOCHINA SETBACK "GRATIFYING,"  
INDIA SAYS**

**NEW DELHI.**—Foreign Minister Y. B. Chavan said today the American reverses in Indochina were "a gratifying vindication" of India's foreign policy.

In the first reaction by Prime Minister Indira Gandhi's government to the victory of the Khmer Rouge in Cambodia and to Communist military successes in South Vietnam, Chavan said:

"They represent the inevitable victory of forces of nationalism over attempts to undermine such forces through outside intervention, and constitute a gratifying vindication of the consistent policy maintained by us on this question over the years."

Chavan spoke at a seminar organized by India's Institute for Defense Studies and Analyses and Indonesia's Center for Strategic and International Studies.

Meanwhile, the lower house of the Indian parliament voted 299 to 11 today to annex Sikkim as India's 22nd state, and end the 300-year-old monarchy in the Himalayan kingdom.

The only opposition to the proposed constitutional amendment, which will be considered by the upper house Friday, came from militant Marxist Communists.

## THE HIDDEN TAX INCREASE

### HON. TOM HAGEDORN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. HAGEDORN. Mr. Speaker, as the Congress grapples with the serious economic problems facing Americans, it becomes increasingly important that we recognize just how many of those problems are caused by Government itself. Most obvious of these Government-spawned economic difficulties is the burden of high taxes, particularly on middle-income Americans. That burden becomes even greater in times of rampant inflation—which is itself caused, in large part, by Government spending and regulation—when taxpayers are forced into higher tax brackets by inflated incomes, without realizing a parallel increase in purchasing power.

The following editorial, which appeared in the April 14 edition of the Minneapolis Tribune, graphically illustrates this problem and points out the need for some form of tax-indexing, or a better alternative, to help the hard-pressed taxpayer out of this dilemma:

#### THE HIDDEN TAX INCREASE

The taxpayer, whom we shall call Jones, was content Tuesday night. State and federal returns were in the mail. ("Ought to get at those earlier next year," he thought.) He was in good health and employed, important assets for the sole source of income in a family with a wife and two children. His

earnings had been substantial in 1973 (\$20,000), and in 1974 Jones's employer raised his salary to \$22,400, the same percentage increase as the increase in cost of living. Moreover, under the new tax law, Jones looked forward to a rebate in part of the 1974 taxes paid and lower taxes in 1975. But there was a nagging question: Why did the family budget seem tighter than ever?

With federal tax records still at hand, Jones did some calculations. He found that the salary increase moved him to a higher tax bracket. Not only did he pay a larger dollar amount of income for taxes, but a larger percentage as well, which worked out this way:

His 1973 income after paying federal taxes (and applying the standard deduction) was \$16,990. The comparable figure for 1974 rose \$1,758. To sustain his buying power from 1973 to 1974—which was the purpose of his 12-percent pay raise—his after-tax income would need to have risen 12 percent of \$16,990, or \$2,039. Instead, the increase of \$1,758 fell about \$280 short. So in terms of buying power, Jones was \$280 worse off in 1974. Part of that decline was the result of his moving to a higher tax bracket.

Thus the irony for Jones and millions of others is that inflation, which affects both costs and personal incomes, also causes unlegislated tax increases. According to Congressional Quarterly, 1974 rebates will exceed only slightly the inflation-induced increases in personal taxes for the same year. The further irony is that Congress can claim credit for enacting four major tax cuts since 1962 even though people have found themselves paying more taxes.

One way to uncover the tax increases caused—and hidden—by inflation is to move tax brackets upward as the cost of living rises. Had that system of "tax indexing" been in effect, Jones in 1974 would have been taxed at the same rate as in 1973; his purchasing power would thus have stayed closer to living costs.

But just as it cost Jones more to support his family in 1974, so did costs of government rise. Tax savings to the Joneses of America would cause a loss in revenue to Washington. To prevent a revenue shortfall, Congress presumably would need to enact a tax increase—which explains the lack of enthusiasm on Capitol Hill for tax indexing.

The better answer is to obviate the need for both cost-of-living pay increases and tax indexing by stopping inflation. Since the record of recent years offers little encouragement that problems of inflation will soon be solved, the question is whether hidden tax increases of the kind experienced by Jones should be perpetuated. We would say no. And if indexing is not the best solution, we'd like to hear Congress discuss alternatives.

## MONUMENT TO INTEGRITY: NICHOLS

### HON. JIM LLOYD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. LLOYD of California. Mr. Speaker, one of the great privileges of my lifetime has been my friendship with Robert Russell "Russ" Nichols, who was a mayor, city councilman, school principal, and school district administrator in West Covina, Calif. Russ' death on June 16, 1974, was likewise one of my saddest moments, for he

was truly a fine man. I went to West Covina April 19, 1975, to share in a testimonial to this exceptional community leader. To further his memory, I would like to share with the Congress the following article published April 21, 1975, in the San Gabriel Valley Tribune:

#### MONUMENT TO INTEGRITY: NICHOLS

(By Mark Landsbaum)

**WEST COVINA.**—They honored an enigma Saturday.

He was a lucid, but inscrutable man, born with a gift for clarity and a drive for public service, yet a complex man of deep thought and with a selective private life.

Robert Russell "Russ" Nichols served his community in innumerable ways until his death June 16, 1974. He was a teacher, a school principal, an administrator, a civic volunteer and a city councilman.

But those were only the roles, the man was more.

Associates characterize him as a deeply devoted servant of the public. A councilman who walked away from the lure of self-profit at the expense of integrity.

It is one thing to retain integrity in the absence of temptation, but it is another to hold fast on principles when allured by examples of those around you.

There were those whose interests were selfish and not the public's. It was during the early 1960s in West Covina's booming land development, the opportunists, the whisperers.

But not for Russ Nichols.

"So many times he was able to walk away from it. Not once would he give his friends information or an opportunity that would benefit him on a second-hand basis," according to Sam Sornborger.

Nichols' widow Gladys is a testament to her husband's integrity.

"He taught me a code of ethics," she said of the man supporters and opponents alike describe as a non-political politician.

Sornborger was one of a handful of confidants Nichols embraced as personal friends. He chose friends like he made decisions, with deliberation and discretion.

"He knew a lot of people, but was not too close to too many," Sornborger said. "There had to be a depth there."

A connoisseur of character, he looked for the qualities he held highly, integrity, courage, honor, intellect.

Qualities that were the measure of the man himself.

A former tank gunner in the South Pacific in World War II, Nichols had two tanks blown out from beneath him in combat. Stamped with a soul-wrenching agony of death and war, Nichols returned home to dedicate his life to the uplifting and constructive.

And that devotion to the public good was enhanced with time. He became a blend of the humanistic and the private.

And as one man near him surmised, it may have been personal tragedy that even more solidified the unlikely bond of Nichols' private desires and public ambitions.

Personal suffering may have heightened his concern for the public.

Grief didn't suddenly visit the Nichols household when 8-year-old Dale died in 1964. The youth's bout with leukemia had been a long, agonizing one for the family.

It was a hard lesson for the Nichols.

"I could never read any emotion in Russ," said John Gunn, the former minister also officiated at both Dale's and Russ' funerals.

"Russ was about 90 per cent ramrod backbone," according to Gunn.

"He was probably the greatest person I have ever known," his widow says of him today. "He was not afraid to face it, to pick up the pieces and go on."

Upon their son's death, Gladys was understandably crushed. Nichols counseled his wife with the firmness that was his mark. Their son's death had to be accepted, he told her.

A close personal friend recently remarked that Nichols' deadpan acceptance was a sign of courage because "it had to be tearing him up inside."

And those who know his wife, credit her strength at Nichols' death with the manner in which her husband fortified her when the boy died.

"He always had his feet on the ground and faced reality," said Gladys.

The death of his son prompted Nichols to contribute his city council salary—\$100 a month—for construction of a youth center.

A devoted public representative, Nichols may have given an impression of being insulated from those he represented, according to Sorenberger. But he was simply preoccupied, his friend said—a man of deep concentration.

Current Mayor Kenneth Chappel, a supporter in Nichols' unsuccessful bid for higher public office, remembers "the dean" of the city council as a steadfast defender of the rights of the homeowner.

"He knew exactly what he wanted to do, what he wanted somebody else to do," said Kay Zahrt, a local teacher who taught under Nichols' administration at California School.

Nichols' administrative prowess stemmed from his systematic mind.

"We used to kid him about his five-year plans," Sornborger recalled. Nichols plotted out his public and private futures with the articulation that marked his council activity.

He was "able to wade through the forest and pick out the problem, a gift most of us don't have," said his widow.

Gunn agrees, remembering how Nichols methodically would wipe aside the city council harangue and go to the essence of the issue.

That skill made him a mediator of disputes, the balancing on the council, according to those who watched him.

But Nichols was watched from many perspectives, not the least of which was from the school yard.

Said a one-time rowdy who once led the elementary principal on a chase out of the school yard, over a fence, down the street and into the bushes, "he was all right."

Remembering how on another occasion, Nichols put the youth inside a small restroom in the nurse's office and turned out the light from the outside "until I behaved," the now 17-year-old high schooler recalls "he had a reason because I wouldn't shut up."

"He kept trying to call my mother and I kept hanging up the phone," said the since partially reformed youth.

A school principal is part diplomat, part administrator and part counselor.

He ruled several campuses as a "hardnosed principal," one friend remembers, but in a manner described this way by a former student at California school:

"You weren't automatically wrong just because you were a kid."

It was the extra-curricular activity that best exemplified Nichols' contributions, however.

Gunn, poles apart from Nichols politically, used to delight in their philosophical debates.

"He would lead you down the garden path and then stick you," he said of the Nichols' brand of logic.

But when a crisis arose, such as the public emotion when racial minorities began to trickle into West Covina in the early 1960s. Nichols was on the firing line calming the waters.

Nichols' courage and strength prevailed to

the last. He learned his disease was terminal only six weeks before he died.

His doctor told Gladys and closest friend Sornborger that Nichols was denying the inevitable.

He clung to life with a tenacious grip, denying to the very end the cancer that killed him.

"His attitude was whatever is wrong with me, they are going to find it out and cure it," according to Chappel.

Never did Nichols concede the inevitable, according to Sornborger. "As bad as he was, he resented being taken out of his home to go to the hospital."

The methodical, precisely planned life of Russ Nichols was unraveled, and for the first time there was nothing he could do about it.

Civic leaders Thursday honored him posthumously, and Saturday dedicated a memorial to him, and then established a scholarship in his name.

But Russ Nichols' contribution was one that did not have to be missed to be appreciated.

## ORGANIZATION FOR SCIENCE TECHNOLOGY IN THE U.S. GOVERNMENT

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. WIRTH. Mr. Speaker, today I am introducing in the RECORD in abridged form a timely and thoughtful report by the American Association for the Advancement of Science—AAAS. The report, prepared on behalf of the AAAS Board by William D. Carey and Richard A. Scribner, is entitled "Observations on Needs and Organization for Science and Technology in the Executive Branch of the U.S. Government." It has been forwarded to Vice President Rockefeller as a AAAS "white paper" and has been published in the March 7 issue of the journal, *Science*.

The questions of what should be our national policy toward science and how we should expect the President to utilize science and technology in helping to determine public policies are both issues of major importance. The AAAS report constitutes as clear an analysis as I have yet seen on the organizational roles for science and technology in the executive branch in support of Presidential decisionmaking.

The report sees three distinct but complementary roles for science to serve the President: the science and technology policy advice role, the R. & D. coordination role, and the science and engineering advocacy role. The first two should be in the White House or Executive Office, but the advocacy role is best explicitly lodged elsewhere in the executive branch.

We should give careful consideration to the structural needs pointed out in the report and to its organizational recommendations and caveats.

I would especially like to emphasize the report's stress upon the need for a science policy which is strategic rather

than tactical in nature. In our planning for more effective use of human and material resources, we must begin to view the financing of R. & D. as investments for the future and not merely as discretionary expenditures of the present.

These distinctions are important to keep in mind, especially since they have so often been lost in much of the discussion on the subject. "What matters," in the words of the report, "is what we are doing with and to science and technology and how they can best help to define the direction and quality of our public policies." I congratulate the board of directors of the AAAS and Messrs. Carey and Scribner for this fine report and I submit it herewith:

### ORGANIZATION FOR SCIENCE AND TECHNOLOGY IN THE EXECUTIVE BRANCH

Scientific advice in the White House must be viewed primarily in a substantive rather than an organizational context. In the recent discussions on the matter too little has been said about the requirements of complete presidential staff work, anticipatory planning, and the formulation of public policies toward science and technology. A disembodied decision on structure is unlikely to serve well either the needs of science policy formulation or the quality of scientific research and development.

Little would be gained by a political gesture restoring a seat at the table to the scientific community. It is a much deeper matter, which goes to the effectiveness of the national policy machinery in the decade ahead.

An examination of federal policy-making relative to science and technology must begin with the recognition that:

National goals of every description depend significantly, although in differing degrees, on scientific and technological progress.

The federal government's approach to R. & D. has been more tactical than strategic. (The most notable exception to this rule has been the National Science Foundation, which has consistently emphasized the long-term aspects of science.)

Reliance on a tactical, crisis-type of scientific and technical response is wasteful and disruptive of human and material resources.

Within the federal government, the financing of R. & D. is not yet viewed as investment, but only as discretionary expenditure.

The institutional interactions among economic planning, international policy-making, national security planning, domestic social objectives, and science and technology are ad hoc rather than systematic, with predictable malfunctions of policies and outcomes.

Here, then, is the issue: As we assess the position of the United States at home and in the world against the emerging concerns of the 1970's and 1980's, is there a clear need and opportunity to improve our national policy machinery by strengthening the role of science and technology in defining and meeting national goals? If so, how can we do this most effectively?

### THE ARRAY OF POLICY PROBLEMS

It is clear that most of the driving issues of the last half of the 1970's and into the 1980's will be related to major social problems of which scientific knowledge and technological development are pervasive and critical aspects. The agenda is now tilted strongly toward consumer and public-oriented technologies in, for example, energy, transportation, health, education, natural resources, ecology and environment, and social systems.



For the remainder of this decade, and into the 1980's and beyond, policy-makers will confront a formidable and changing array of problems. The array of problems can be categorized under headings of: *social and economic; environmental, technological, and institutional; technological innovation; and national security.*

The national security issues in policy-making obviously require independent and critical staff work. Choices among military hardware systems aside, the real dimensions of "national security" have assumed a wholly new scale and character. They concern the uses of the sea, the environment, and the resources of the planet. They address the equities of resource allocation among developed and developing societies. They confront choices as to population stabilization, and the uses of science and technology and creating alternative social and economic structures which can help to reduce dissatisfactions leading to conflict. These are presidential issues, and our national security is tied to them. For these reasons, we believe that any realignment of the science advisory process must provide for direct involvement, within that process, in the staff work on the transnational problems on which global security will depend in the future.

This indicative enumeration of policy problems comprises a formidable menu for policy-making. Many are long lead time problems rather than quick response issues. To deal with them, policy analysis cannot rely on ad hoc improvisation. The national policy machinery must be equal to them.

While science and technology alone will not have all the answers, they certainly will have important roles in illuminating questions of choice, feasibility, and alternatives. For that reason, we believe that the national policy machinery must have an effective science and technology component which functions in concert with other policy support staffs.

#### THE STRUCTURAL PROBLEM

Within the context of the preceding assessment of the federal government's needs relative to science and technology, we see three distinct but complementary Executive Branch staff support roles:

1. The science and technology policy advice role.
2. The R&D management and coordination role.
3. The science and engineering advocacy role.

The first two functions can best be performed within the Executive Office of the President, and the third, while very much needed, is best kept out of the White House or the Executive Office and quite distinguishable from the others.

*The science and technology policy advice role.* There are two dimensions of science policy advice. The first involves frequent inputs to the traffic of *short-term* policy-making. The second involves *strategic planning* for the contribution of science and technology to national goals and objectives.

Short-term policy-making should focus on (i) budget allocations, (ii) evaluation of proposed legislation, and (iii) major program decisions or choices, such as the amount and distribution of R & D for energy, appropriate levels of expenditure, and best mix of civilian and defense R & D, or the treatment of multinational corporate R & D expenditures under proposed tax rules of the Internal Revenue Service. These are critical functions which require timely and informed science policy advice. If the policy advice role does not involve participation in them, it will have no clout or impact.

The second dimension is addressed to a longstanding gap in our national policy machinery.

The strategic planning dimension requires deliberate attempts to develop assessments of the quality and productivity of science and technology and to develop long-range goals for them in relation to the position and needs of the United States at home and in the world. Establishment of this role implies that government recognizes the character of the discovery process, accepts its long lead times, and means to create multiyear perspectives which will help to define and forecast the policy environment within which science and technology can be carried on.

An important dividend which should emerge from the planning and assessment roles is an annual guidance statement of the Office of Management and Budget (OMB) defining the ranges of new budget authority and outlays for the federal R & D effort, to be used as planning benchmarks in the preparation of the Executive budget. These guidelines should be consistent with the medium- and long-term economic, social, and international policy objectives of the Administration, and they should reflect the context of the real world in which budgetary choices have to be made. The development of the annual guidance statement does not preempt the role of the OMB in rationing resources among rival needs, but instead provides a rational framework which can help to extricate budgeting for science and technology from the constraints of incrementalism and inequities of "crash" R & D funding.

Whether both of these activities—short-term staff support and longer-range strategic planning—can be handled effectively by the same group in the Executive Office is arguable. However, it should be tried, because the realism of strategic policy planning will be fortified by immersion of the advisory staff in current decisionmaking with OMB and agency heads on the touchy issues which confront political executives from one day to the next. The danger to be guarded against is that long-range policy planning may be driven out by demands for quick response staff work for the White House.

Both of these advisory functions must be situated in the Executive Office to have the necessary ad hoc policy input and leverage required to set long-range science and technology goals. They must be accepted and tied into the delivery of staff work, and they must be headed by presidential appointees. Finally, they must be accessible to the outside world, where science and technology are largely initiated and performed, and not screened from "real life." The science and technology policy advisory staff would establish working relationships with the Domestic Council, the National Security Council, the Office of Management and Budget, the Council on Environmental Quality, and the operating departments and agencies.

There will be times when a President will need and want advice. He has to be the judge of this. The main objective, however, is to deliver sound, timely, and informed advice to the centers of the national policy machinery in and around the Executive Office—to make it an arm of complete staff work, so that facts, judgments, arguments, and alternatives work their way up the line. This is the best way to help the President.

In organizational terms, this means that the restoration of a science advisory system need not necessarily require a personal science adviser to the President; it may be enough to provide the staff capability to work on even terms with the White House and Executive Office staffs and the heads of agencies.

Finally, a degree of institutional tension is one of the risks that a staff activity must run. Science advice includes the responsibility to criticize or oppose policy trends, *within the White House staff system*, when the

grounds for doing so are within the competence of science and technology.

*The R & D management and coordination role.* While the administration of federal R & D programs must remain the responsibility of the mission-oriented departments and agencies, there is great need for "cross-cutting" coordination and oversight. This problem has never been handled well in the past. Intraagency committees are poorly suited to the task. The OMB is necessarily concerned with issues of program content, cost-effectiveness, and dollar cost and, while some measures of oversight can be exercised through budgetary reviews, the process is selective, targeted, and may lack a balanced perspective.

What is needed, we believe, is assurance as to the priority, quality, balance, and end utilization of R & D. Crash programs, especially, call for objective evaluation and quality assurances, as in the case of cancer research and energy R & D. This evaluation requirement is particularly needed when these programs are supported by high and growing budgets while other fields of science and technology are relatively constrained by a lower support level. To make this kind of assessment, it will be necessary to reach out for help from organizations and individuals whose insights, skills, and experience will inject freshness and objectivity to the evaluation, including groups which can communicate the values and preferences of a diverse society.

Serious and unresolved questions exist as well with regard to the efficiency with which the nation's R & D capabilities are being employed; examples are failures to define R & D objectives in concert with industrial and other users of the results, disarray in the arrangements for handling scientific and technical information, contradictory practices among federal agencies with regard to patent rights, policy barriers to joint or cooperative R & D by industry, the absence of systemwide oversight of valuable federal laboratories and research centers, and costly practices in competitive proposal solicitation. Priorities for R & D will emerge from agencies' missions and role, but good science policy requires these priorities to be reviewed and coordinated to make them realistic in terms of feasibility, manpower requirements, timing of expected results, available funds, and well-defined objectives.

Equally important is the need to manage the federal government's discordant impacts on technological vitality in the United States. The attitude prevails at all levels of government that technology is the result of market forces and the decisions made in the private sector. What is not recognized adequately is that the government's policies and activities have a tremendous influence on the rate of technological investment, innovation, and risk-taking. Nor is it clear that government understands the importance of lively technology in maintaining a positive international trade balance, in improving productivity, and in generating jobs.

Yet, the federal government influences the rate of technological enterprise in ways that are critical: through its regulatory and standard-setting activities (which need a sound scientific base), through its massive procurement operations, through its R & D expenditures, through its tax policies, through its trade and monetary policies, through its economic policies, through its personnel policies, and through its educational and research policies. The aggregate effects of these disparate interactions on the directions and the scale to technological enterprise are unseen but great. No focus now exists in the public policy structure for coordinating policies and decisions relative to technological thrust. No analytic focus exists

for considering the impacts of changing policies or regulatory actions on technological risk-taking, or for evaluating the impact of government on the marketplace in which decisions that affect technological risk-taking must be made.

An Executive Office focus is needed to deal systematically with these problems of management policy, to carry out special projects and R & D management audits, and to deal with issues which today go by default.

*The science and engineering advocacy role.* Because scientific research is long-range in nature—it is a discovery process whose benefits and costs must be inferred rather than quantified—its claims on resource allocation are often difficult to establish. This difficulty means that scientific research—especially basic research in the physical, biological, and social sciences—cannot compete for support on equal terms with the short-run operational responsibilities of government agencies. Budget levels for these short-run operations are resolved by bargaining and level-of-effort compromises. Year-to-year changes in budget policy erode the continuity of research and induce chronic uncertainty, while inflation forces up the costs of research manpower and laboratory investigation.

While science, as a claimant for federal support, cannot be exempted from the "ends-means squeeze," neither can it be expected to maintain its vitality under conditions of open-ended uncertainty. As a comparatively weak claimant on limited resources, science needs to have responsible champions to help its case to be heard, to identify and argue for pursuit of emerging opportunities, and to press for the maintenance of a lively and productive scientific enterprise. What must be guarded against is the creation of a special interest lobby for science, or what might be perceived as a lobby. The advocacy role within government must not be a partisan or special interest one: it should be selective and well supported with analytic assessments of the nation's research enterprise, judgments on the balance of effort among fields of research, and evaluation of the scientific and social merits of new opportunities in science. This is the kind of information which should be brought effectively to the attention of the Executive and Legislative branches and the general public.

These roles, we believe, should be carried out within government primarily, but not exclusively, by the National Science Foundation, working with the National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine. However, ours is a broad and pluralistic society, and openings must be made for the advocacy of views from many groups and organizations which reflect crosscurrents of change and the articulation of emergent needs. The strength of our national science and engineering endeavors will be enhanced if strongly held views on health research, applied social science, environmental science needs, basic research, and technological innovation and development, to name but a few, can find a ready, but critical and evaluative hearing within the federal government.

Furthermore, there is need for an Executive Office annual report on science, technology, and national policy addressed to the Congress. Such a report should assess the health of science and engineering endeavors and project long-range goals for science and technology applicable to the needs of the United States. Such a report could provide a degree of guidance to the scientific and engineering communities and be the focus for a continuing appraisal by the National Science Board and the director of the National Science Foundation, as well as the Academies,

and such broadly based organizations as the American Association for the Advancement of Science, of critical questions affecting science and technology and requiring governmental attention.

#### RECOMMENDATIONS

The essential point is that the Administration must decide its posture toward the function of science and technology in the total national policy picture. Our view of the future persuades us that the country's goals and objectives are linked closely to science and technology, and that the arrangements for policy analysis, planning, resource allocation, and management should reflect that linkage.

The aim is not to aggrandize the image of science and technology, but to improve the quality and performance of public policy. If the Administration shares this view, we assume that it will take steps to put new machinery in place. If the Administration believes that our view is overstated, it should not adopt recommendations just because we make them. Otherwise, the disorder will only be compounded.

In the context of this discussion of needs and functions, we would welcome an organizational initiative comprising the following elements:

1. A Council of Science and Technology Advisers in the Executive Office, headed by a strong chairperson, to provide continuing staff advice on scientific and technical aspects of domestic and foreign policy-making together with long-range policy research, planning, and public investment for the uses of the nation's scientific and technological resources in achieving major goals and objectives. At the discretion of the President, the head of the council could also serve as science adviser to the President.

An alternative to a council would be a single presidential appointee, assisted by a carefully chosen staff. This alternative would be appropriate in circumstances where a President might find a council unwieldy and slow-moving, and would prefer a simpler arrangement.

2. To ensure a strong and in-depth capability for planning and assessment to support policy-making, the Executive Office elements should be able to look to the National Science Foundation to mount and carry out a substantial level of science policy research, analysis, and reporting.

What matters, however, is not so much the organizational mechanics but rather the explicit provision for lively and complete presidential staff work—staff work which captures and gives weight to scientific and technical considerations in the examination and choice of policy alternatives and program strategies. The organizational answers should match the demands of the assignment, and should be seen as doing so.

3. An Office of Research and Development Management with the responsibility to evaluate programs, set priorities, provide quality assurance, see to policy coordination, and stimulate new initiatives. This office can be either a separate unit in the Executive Offices or an element in the OMB headed by a presidential appointee.

4. Principal reliance on the National Science Board and the director of the National Science Foundation, working closely with other federal scientific and technical agencies, for assessments of the nation's needs and opportunities for the advancement of science and education for science and engineering. Effective outreach should be maintained with the National Academy of Sciences and the National Research Council, as well as with scientific, professional, and public interest groups.

#### CLOSING COMMENTS

Organizational inventions tend to lose vitality over time, and to become preoccupied with problems of the past rather than the future. Organizational lag is one of the afflictions of bureaucratic life. We believe that our suggestions are appropriate for as far ahead as we can look, but we strongly recommend that future administrations keep an open mind and open options as to the character and appropriations of any set of science policy and managerial institutions. Events may call for different arrangements, and the national policy machinery must have the ability to recognize the need for change and revitalization.

#### HATCH ACT REVISIONS SUPPORTED

### HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. HARRIS. Mr. Speaker, at the April 14 hearings in northern Virginia on H.R. 3000, held by the House Subcommittee on Employee Political Rights and Intergovernmental Programs, one of my constituents, Ronald Jones, presented his case for amending the Hatch Act. He said:

I believe that the evil of depriving any group of rights freely enjoyed by all others is far greater than the risk of abuse of official position by the few who might be unscrupulous no matter what the prevailing conditions are.

I would like to share the views of this Federal employee with my colleagues.

#### VIEWS OF RONALD JONES

Members of Congress and fellow-citizens, I want to express my most sincere gratitude for having been given the opportunity to offer my thoughts on H. R. 3000, the proposed amendment to the Hatch Act. My name is Ronald E. Jones, and for 5 years I have been an employee of the U. S. Department of Labor's Manpower Administration. I am a member of Local 12 of the American Federation of Government Employees, and I am a constituent of Congressman Herbert Harris, whose interest in this proposed legislation I commend to my friends and neighbors in Alexandria, Virginia. Additionally, I have studied political science through George Washington University's excellent program in Legislative Affairs. However, I claim to speak for no organization, but regard myself as a "grass roots" spokesman with deep feelings about the issue under consideration.

I strongly favor enactment of H. R. 3000, which with some strengthening would reestablish the right of civil servants to participate in the partisan political process in a way that I believe can be consistent with maintaining an effective, impartial executive branch. I am proud to serve as a civilian employee of the government, but I want to be able to contribute more—just let me have the chance! Surely the Members of the Subcommittee entered public life for similar reasons.

I am one who knows what it feels like to be part of a disadvantaged minority, whose voice is muzzled and whose actions are manacled by the majority. We of the Federal civil service are deprived of some of the rights which others take for granted as self-evident and inalienable in a democracy: of being



equally able to act and serve in our common political process. Other groups who are similarly deprived are convicted criminals and those in insane asylums. Do the American people really intend that their Civil Servants should be so equated?

The intentions of the Hatch Act are laudable in encouraging a professional civil service impartially administering public business. As the Supreme Court recently reiterated: "it is in the best interest of the country, indeed essential, that federal service should depend upon meritorious performance rather than political service." But the barring of political activity does not guarantee a federal service dependant on meritorious performance. Further, I believe that voluntary service in the political arena can make a positive impact on the performance of those who choose to participate, by inculcating new human skills and awareness and by expanding the breadth of one's perspective.

The key word in the phrase "partisan political activity", from which the Hatch Act excludes us, is the word "partisan", which Title 5, Part 733, Subpart A of the Code of Federal Regulations defines as "a political party." My copy of the U.S. Constitution neither permits nor forbids political parties, it does not mention them because they were not invented until some years after Ratification. I need not remind Members of the Subcommittee that, by far, most of the policy debate and resolution which so vitally affects the lives of Americans is conducted within partisan political channels. Thus, although we have the vote, our exclusion from most stages of debate and all except final selections critically limits our choices; in effect, we can eat the menu offered, or we can leave the table hungry.

Besides the educational values of participation—which a number of Presidential candidates have noted—there are other reasons why I believe civil servants should participate. It would tend to develop our awareness of issues not usually connected with our employment but which might have bearing on the way we perform our work. There are those who criticize the Federal establishment for being unresponsive. If this were true, it could be because the avenues open to us to learn first hand the problems and needs of our countrymen through face-to-face encounters are inadequate.

We know that voting and political participation of all kinds have been declining at alarming rates in this country. It is easy enough to take a complacent attitude towards letting others conduct the policy-making business of the country. Certainly with a ban like the Hatch Act, we are provided with a too-simple excuse to ignore the responsibilities of citizenship. Further, can the nation afford to do without the political services, experience, support, and commitment of so large a portion of the adult population? I don't think so.

Similarly, I believe participation of civil servants would help raise the level of debate in the political process, bringing wealths of new expertise, experience, and approaches into the marketplace of ideas. Who knows better than those expected to carry out the law of the land, the difficulties and complexities of achieving the intent of legislation, which is but the collective will of the public.

The Hatch Act does not simply prevent my participation at the Federal level, but at State and local levels as well. In a partisan context—which is about the only context there is—I cannot even support my local dog-catcher without possibly running afoul of the law. Because of the Hatch Act, I and others like me have perhaps the least voice

in the areas which affect us most, such as property taxation or in school allocations—if they fall in a partisan division.

As a possible new source of time and talent, to the extent that we would participate—if permitted—we would help revive and strengthen the two-party system, thus helping insure that there will always be a choice.

In the final analysis, I believe the evil of depriving any group of rights freely enjoyed by all others is far greater than the risk of abuse of official position by the few who might be unscrupulous no matter what the prevailing conditions are. Besides, the amendment would continue to provide strong safeguards against criminal abuse of position. Thus, we are not merely trading greater freedom for more criminality. Events of the past few years are graphic demonstration that even the Hatch Act cannot prevent abuse. In any case, whether or not improper pressures are used depends on the character, ethical integrity, and commitment to duty of those who are bound to abide by the law. The Framers of the Constitution intended that all citizens—including civil servants—could be trusted to govern themselves. It is time to restore that trust, to extend it to civil servants.

With regard to improving the proposed legislation, I believe it is vital to better define what is meant by "use of official position to influence the outcome of elections." This definition could be so vague that many of us would still refrain from participating so as to take no chance of being in the wrong. I also think the prohibition should be extended to preclude use of official position to promote the interests of a political party, particularly in non-election seasons. It might also be wise to prohibit the use for political purposes of information gained in confidence through official employment.

To help insure that participation would be above suspicion and to help us protect ourselves, it might be desirable to set up a reporting system outside normal official channels to which we might file notices of intent to participate, log our activities and file periodic reports.

Regarding possible abuse of official position, it would be valuable to specify a difference between effects which may have been intended, and from those which may have been inadvertent or unforeseeable side effects of particular administrative decisions. This raises the interesting question, too, of whether a defeated candidate could sue for a new election if he suspected improper interference by civil servants.

As I read H.R. 3000, it would be impossible for cabinet officers or other well-known political appointees to campaign, because they would be unable to disassociate themselves from their official positions. If this interpretation is accurate, it might make for a more evenly matched contest, but it also might unduly reduce the ability of incumbents to persuade, inform, and generate support for their positions.

I believe my fellow-panelists will have other suggestions for improving the legislation.

To conclude, if the definition of prohibited behavior can be nailed down and if the monitoring and oversight processes can be strengthened, I heartily urge others to join me in support of the adoption of H.R. 3000. I know this change would help bring a breath of air to freshen the holds where we who are "Hatched", wait. My thanks to Members of Congress for taking a new look at the political limbo in which we serve.

I would be pleased at this time to answer questions or clarify my statement.

## MEETING FUTURE ENERGY REQUIREMENTS

### HON. HAROLD RUNNELS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. RUNNELS. Mr. Speaker, because of an abundance of natural resources, the State of New Mexico has played a leading role in national oil and gas production in past years. Like the rest of the Nation, our State is confronted with the problem of meeting future energy requirements. As a result, a wide range of projects by local, State, and Federal agencies, our universities, and private business firms are being undertaken today to develop the technology necessary for providing energy for the future.

The energy research projects being conducted in our State include studying the merit and potential of such energy sources as solar, geothermal, atomic, laser, and gasification.

Each of these various forms of energy hold the promise of meeting some of our future energy requirements to replace depleting fossil fuels. However, during the next 15 to 20 years the primary energy supply will continue to come both directly and indirectly from fossil fuel, and therefore, the coal gasification process holds the promise of being best able to meet our immediate needs.

Preparations have been underway for some time for El Paso Natural Gas Co. and Western Gasification Co.—Wesco—to construct and operate six coal gasification plants and necessary support facilities in northwestern New Mexico on the Navajo Indian Reservation.

As expected with any new project, public concerns have been and will continue to be expressed about the environmental impact of this new process in which coal is converted into other petroleum products. Because the residents of my State have an interest in not only developing new energy sources but also in protecting the clean air environment of our State, I have sought to become as well informed as possible on the gasification process.

Recently, I had the opportunity to go to the Republic of South Africa to gain first-hand knowledge on the coal gasification technology that is proposed for operating the New Mexico gasification plants.

Unlike the United States, South Africa has no domestic petroleum reserves. But they have been able to largely overcome this deficiency by intensive coal gasification. In fact, the South African Coal, Oil, and Gas Corp.—SASOL—is presently preparing to expand their plant tenfold.

To say that I was impressed with South Africa's program is an understatement. The opportunity to visit this unique facility answered many of my questions and also raised some new issues which I feel should be pursued.

South Africa is known as a country

that likes to be independent. Because of their remote location, and the world political situation, they are also confronted with a requirement of being able to function independently. Dr. Edward Teller, a world-renowned energy expert, after observing the SASOL facilities was quoted in the Johannesburg Star as stating that the Arabs would soon realize that the best place for their oil is not underground because technology was soon going to provide a replacement, the technology being South Africa's SASOL plant.

SASOL has been described as the "South African industrial whiz kid" in the field of gas, petroleum, and chemicals. Gasoline produced by the plant represents only a portion of the production which has resulted in the operation of the facility at a profit, even before world gas and oil prices reach new highs.

Because the gasification technology also converts undesirable components in coal, such as sulfur, into chemical forms that can be removed from the product gas, the process produces a wide range of chemicals which add to the profitability of the operation.

The following table provides an example of SASOL's major output:

Products in barrels/day	
Gasoline	3,675
Kerosene	45
Diesel fuel	365
Fuel oil	90
Wax and waxy oil	295
Methanol	15
Ethanol	310
Methyl ethyl ketone	22
Acetone	16

Because of its leadership in gasification technology, South Africa today is selling its knowledge to many Western nations including the United States. They are also conducting new research to improve the technique that will allow this country, small by U.S. standards, to become completely independent of foreign energy sources.

In New Mexico, WESCO hopes to have the first plant in operation in a couple of years and producing an average of 250 million cubic feet of synthetic natural gas. I am convinced that we will be able to work out the various economical and environmental problems.

As New Mexico has so often in the past on the development of new technology, we will be providing the talents and natural resources of our State for the good of the Nation.

## THIS IS THE YEAR OF BROOKLYN

### HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. RICHMOND. Mr. Speaker, I would like to submit this article for extension of remarks in the CONGRESSIONAL RECORD:

#### THE BLOOMING OF DOWNTOWN BROOKLYN

This is the year of Brooklyn, but you'd never know it in New York. The season's top

theatrical event—the visit of England's Royal Shakespeare Company—took place in Brooklyn, at the handsomely restored Brooklyn Academy of Music. Generally, it is easier to get New Yorkers to cross the Atlantic to London than to cross the East River.

Politically, as well as culturally, it is the year of Brooklyn, with a Brooklyn man in City Hall and a Brooklyn man in the State Capitol at Albany, which gives Brooklyn both clout and cachet. And with Manhattan marking time in an atmosphere of recession and gloom, most of what is happening in New York is going on quietly across the river.

Actually, the blooming of downtown Brooklyn should not really take New Yorkers so very much by surprise. It wouldn't if they didn't keep looking the other way. A walk across the Brooklyn Bridge on a magical early spring day or evening reveals more than its accustomed romantic beauty. (How spoiled we New Yorkers are; but this is part of our dubious charm.) Downtown Brooklyn has no easy answer and is still fraught with real and continuing problems, but there is enough visible accomplishment in terms of design, development and the creation and reinforcement of community and amenity for a dozen other cities.

Brooklyn's lessons in architecture and urbanism—which largely involve informed efforts to turn around an area decimated by a residential and commercial flight to the suburbs of the 1950's and 1960's—are heartening. And so are the role and achievements of the city agency in charge, the Office of Downtown Brooklyn Development, now under the direction of Richard M. Rosan, working in collaboration with exceptionally strong and dedicated local groups. This is one of those on-the-spot Mayor's planning offices that have done more for New York in terms of positive development policy than any single idea or action initiated by city government in the last decade. And at the moment, when the more glamorous planning offices are in a bind or a stalemate, Brooklyn is paying off.

You don't have to be a closet Brooklynite to know about Brooklyn's brownstone revival, but the first thing that strikes the visitor is the startling dimensions of the residential renaissance. These neighborhoods go on literally for miles, ringing downtown Brooklyn. They have an incredible population of 275,000—at least as big as three medium-size cities. Beginning with Brooklyn Heights, the revival moved to Cobble Hill, Boerum Hill and Park Slope—four areas that have been declared historic districts. Still another, Fort Greene, is in the process of designation.

Almost all of these seemingly endless, superb streets of 19th-century row houses were once slated for the bulldozer brand of urban renewal. That figured, of course, since the easiest thing to demolish is a treasury of intimately scaled, rich architectural styles of exceptional craftsmanship and quality. The revival that took place instead was a spontaneous, snowballing, bootstrap operation of individual and collective gut faith, born of a dedication to the principle that New York is livable and made by a young, committed, urban middle class.

If you want to know the extent of such faith, it is worth noting that with the exception of a few local Brooklyn institutions, New York banks would give no loans or mortgages on any of these houses in any of these areas. Has anyone ever estimated the disastrous impact of such "sound banking policy" on cities, even when street wisdom was in the act of proving the bankers wrong? They have a lot to answer for. (They'll handle the buildings now, at quintuple markups in sound, marketable neighborhoods.)

This charm, comfort and beauty, from tree-lined streets and blooming back yards to

Eastlake parlors and sun-filled kitchens, is within a stone's, or a subway's throw of the big apple. Transportation facilities are excellent, although they need upgrading like the rest of New York's mass transit. Everything converges on downtown Brooklyn. And if the natives don't want to cross the river, they have an overwhelming concentration of their own cultural and educational institutions.

Again, if one stops to think about it, the score is stupefying. There are at least a dozen educational institutions, with 45,000 students enrolled in them, as compared to 26,288 students in Cambridge, Mass. Baruch College is now moving toward realization on 13 acres of the Atlantic Terminal renewal site after 10 years of backing and filling. There is a small, steady, loyal stream to the dance programs (outstanding) and exhibitions (ditto) of the topflight Academy of Music and Brooklyn Museum. (One draw, even with Manhattan's easy riches, is dinner at Gage and Tollner's landmark restaurant, an island of authentic food and atmosphere in the expensive *ersatz* *edutainment* of New York dining.)

And that's not all, as they say in boosterville. Just beyond the bridge is Brooklyn's civic and commercial center. About 67,000 people, divided between the public and private sectors, work in its businesses, courts, government agencies, law and insurance offices and retail enterprises. And these are not just buildings—we are also talking about architecture. From the solid granite Romanesque Revival Post Office and the neo-classical Borough Hall to the nifty Art Deco of Corbett, Harrison and McMurray's 185 Montague Street (headquarters of the Office of Downtown Brooklyn Development), there is more substantial, stylish, top quality building in downtown Brooklyn than one can shake an architectural historian at. Block for block, it is some of the best, most underpublicized landmark territory in New York.

Most of the pivotal change and the concentrated redevelopment effort have taken place in this central business district, around Fulton Street. There has been commercial spillover beyond, from the brownstone neighborhoods, revitalizing Atlantic Avenue as well, with its older ethnic strengths and burgeoning antique and specialty shops. Atlantic Avenue is now surprisingly reminiscent of New Orleans' Magazine Street in both character and renewal. The development office has devised a special Atlantic Avenue zoning district to protect just those urban and architectural features that would be lost, without controls, in the regenerative process.

With the Downtown Brooklyn Development Association, the planners have made steady progress in the Fulton Street area. Abraham and Straus and May's have held on, while the famous movie houses died and traditional shopping turned into a redundancy of fancy shoes and wigs. But even with suburban defection and social change, this section still has the sixth largest sales volume of all U.S. central business districts, and one of the planners' proposals is a Fulton Street pedestrian mall. This seems about to go ahead. (Not the least problem is the repeated political, social and commercial mobilization needed, year after year, as every project inches forward one hearing at a time.)

A good deal less visible remedial action has also been under way. The Livingston-Bond garage that opened recently does more than provide parking space; it is a coordinating facility for off-street unloading, goods handling and new shops. Two handsome new, key buildings have been completed by the firm of Skidmore, Owings and Merrill—for Con Ed and the New York Telephone Company. Under careful planning persuasion, they feature such mandated urban assets as



arcades and new subway entrances as well as far-above-speculative-quality design.

There have been disappointments. Dreams of large amounts of new office space have died with the real estate market. Housing plans have collapsed, brought on by the failure of UDC, and it is hoped that the city will pick up some of the housing pieces.

But nothing is too big or too small for the Brooklyn planning office. A clear indication of its eye and attitude is a series of tidy, tiny, "traffic island" parklets throughout the area—carefully repaved, with trees and benches. The strength of a local planning office is that, unlike a centralized agency, its attention is focused on every street corner. This is the only kind of planning that really works.

We have saved the best till last. Downtown Brooklyn not only has an unparalleled view of Manhattan, it has a wonderful waterfront. The development office's Fulton Ferry waterfront plan ranges from the building of a small park and ferry slip, almost completed, to a pair of imaginative schemes to use a fine "modernistic" factory for the Brooklyn Museum Art School and the city-owned Fire Boat House for a Brooklyn Bridge Museum. (One of New York's secret treasures is the set of Roebbing's inch-by-inch watercolor renderings of the bridge in the original wooden file cabinets in the base of the Brooklyn tower.)

Long range plans would link the area with the South Street Seaport on the Manhattan side. But it isn't necessary to wait for that to happen to explore the architectural marvels of the dramatic brick Empire Stores with their griffins and eagles and arched gates at the water's edge. Last one over the bridge this spring is a loser.

# EMERGENCY LOW INCOME HOUSING ACT OF 1975

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. MITCHELL of Maryland. Mr. Speaker, the housing legislation which I introduced on Tuesday, April 22, 1975, fulfills a commitment made in 1968 and reaffirmed last year in the Housing and Community Development Act of 1974: the construction or rehabilitation of 6 million subsidized units during the 1968-78 decade. It provides for 3 million additional subsidized housing units for low and moderate income people during the next 3 years.

This House has recently dealt with two pieces of emergency housing legislation for people already in decent homes or able to afford them: one to help them get new housing and the other to avoid foreclosures. I supported both of these bills. Now it is time to enact housing legislation for low and moderate income people who have been the focus of much housing discussion, but who have been denied effective housing programs.

HUD submitted its 1974 national housing goals report 11 months late. That report makes clear that we have done too little. To meet the target of 6 million units by 1978, we will need to provide another 4 million subsidized units. Per-

haps the section 8 program will provide 1 million of them. This leaves a gap of 3 million. My bill will close this gap.

It will do more. It will provide an estimated 2 million jobs over the 3-year period. This alone will reduce the unemployment level from its present 8.5 percent to the 5.5 percent which the administration assumes will not come about until 1980. Moreover, the Council of Economic Advisers, in its latest report, estimates that one-half the decline in real output in 1974 could be attributed, directly or indirectly, to the slump in housing production.

This year's budget request for low and moderate income housing subsidies is \$2.6 billion—less than 1 percent of the budget. This represents the cumulative cost of all subsidized housing provided since adoption of the Housing Act of 1937. It represents about 3 percent of all our housing stock. Most of these subsidies go to people with incomes below \$10,000.

While it takes no budget request, we will also have in the next fiscal year an \$11.3 billion housing subsidy program. This is the cost to the Treasury of the tax deductions taken by homeowners for mortgage interest and property taxes. Most of these subsidies go to people with incomes above \$15,000.

The National Rural Housing Coalition has recently calculated who benefits from our housing subsidy programs—including both tax subsidies and direct subsidies for low and moderate income housing. The conclusions are shocking:

People with incomes above \$50,000—1 percent of the population—get 10 percent of all housing subsidies—\$1.4 billion. People with incomes below \$3,000—14 percent of the population—get only 7 percent of the housing subsidies—\$0.9 billion.

Nine out of ten people with incomes above \$50,000 get housing subsidies through the tax system. Nine out of ten people with incomes below \$3,000 get no housing subsidies at all.

The average subsidy per household for people with incomes below \$3,000 is \$90. The average subsidy per household for people with incomes above \$50,000 is \$2,300.

More than two-thirds of all housing subsidy recipients have incomes above \$10,000. Less than 3 percent have incomes below \$3,000.

There will be, no doubt, charges that the program proposed in this bill is expensive. It is, in comparison with previous expenditures for low and moderate income housing. It could—if HUD's method of calculating costs is valid—be about as expensive as our present system of tax subsidies for the affluent.

It is time to recognize that there is no costless way of providing decent housing for low-income people. We do not expect to provide education at little or no cost. We do not expect to provide health care at little or no cost. We should not expect to provide housing at little or no cost. Instead we should recognize that decent housing will require Federal expenditures of substantial magnitude. We

should recognize, as well, that these expenditures will be offset by both economic and human benefits.

According to the Department of Housing and Urban Development's own estimates:

There are 1.5 million households with incomes below \$1,000 annually who are eligible for housing subsidies, but for whom there is no subsidized housing available.

There are 3.1 million households with incomes between \$1,000 and \$2,000 who are eligible for housing subsidies, but for whom there is no subsidized housing available.

There are 3.6 million households with incomes between \$2,000 and \$3,000 who are eligible for housing subsidies, but for whom there is no subsidized housing available.

There are 3.2 million households with incomes between \$3,000 and \$4,000 who are eligible for housing subsidies, but for whom there is no subsidized housing available.

There are 3.1 million households with incomes between \$4,000 and \$5,000 who are eligible for subsidies, but for whom there is no subsidized housing available.

Almost all of these families live in housing which is either unsafe, unsanitary, or which costs so much that they cannot meet other basic needs. For example, in 1970 the median rent paid by families with incomes below \$2,000 was \$79, or at least 47 percent of their incomes, leaving no more than \$86 for all other needs. The average renter family, in contrast, had an income of \$6,300 and paid rent of \$108, or 20 percent of income. This left more than \$400 monthly for all other needs.

Yet, in 1972, when subsidized production was at its peak, two-thirds of all new housing production was priced to serve families with incomes above \$10,000. Only 3 percent served families with incomes below \$4,000. If these rates continue, it will only take 14 years to build new houses for the 25 million families with incomes above \$10,000, but it will take 179 years to provide new housing for the 15 million families with incomes below \$4,000.

The bill I introduced on Tuesday was developed in cooperation with the Ad Hoc Low Income Housing Coalition—a group of more than 30 public interest organizations deeply concerned with the housing needs of low- and moderate-income people. It is an emergency measure. It is a fulfillment of an existing, unfulfilled commitment, not a comprehensive program for meeting the full spectrum of our housing needs.

It uses the existing housing programs now on the books simply because they are there and, even given a commitment to move quickly and make a program work—as the administration has been in section 8—the evidence is overwhelming that it takes several years to start up a brand new housing program and bring it to a high level of production.

Therefore, our proposal reactivates or expands the programs presently avail-

able—those with which HUD and Farmers Home personnel and nonprofits and others in the private sector are familiar—though some have grown rusty from disuse.

Specifically, the bill provides for the following additional subsidized units over the next 3 years:

One million units of public housing—not section 8—with at least one-third of these allocated to nonmetropolitan areas.

One million units of subsidized rental housing, as follows: 25,000 farm labor housing grants; 75,000 rural rental units under section 515 of the Housing Act of 1949, 15,000 with rent supplements; 200,000 units of section 202 housing for the elderly and handicapped; and 700,000 units of section 236 below the market interest rate.

One million units of subsidized sales housing, as follows: 250,000 units in rural areas under section 502 with interest credits; and 750,000 units of section 235 below the market interest rate.

The 1968 housing goal was set in a time when mortgage interest rates were about 6 percent, and when almost anybody with a steady job at decent pay could afford to buy or rent new housing. The situation today is very different. But instead of focusing on meeting the critical housing needs of people who have never been able to afford decent housing, we are dealing with the newer, less critical needs of people who cannot afford 8 percent or 9 percent interest rates.

What sense of national priority is it that lets us make a commitment a generation ago to "a decent home and a suitable living environment for every American family" and do so little to achieve it?

What sense of national priority—or legislative priority—is it that permits us to approve in 2 weeks a tax credit to benefit people well enough off to itemize their deductions, while there have not, since I have been in the Congress, been so much as a series of hearings focused on the housing needs of low income people?

It is time to reorder these priorities—to fulfill our commitments to millions of American families who live in rural shacks or urban tenements. This bill is a beginning.

#### MARXISM VERSUS NATIONALISM: IDEOLOGICAL DEBATE AMONG BLACK INTELLECTUALS

**HON. LARRY McDONALD**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. McDONALD of Georgia. Mr. Speaker, in my Extensions of Remarks on March 19, 1975—page E1277—I noted an incident bringing to public attention the current sharp ideological debate among black intellectuals as to the merits of Marxism-Leninism versus Pan African nationalism. In the New York

Times of April 28, 1975, Charlayne Hunter, a former citizen of my State, has written a brilliantly concise analysis of that debate which I am entering into the RECORD. I recommend it to all those interested in the ideological struggles of modern times:

[From the New York Times, Apr. 28, 1975]

#### BLACK INTELLECTUALS DIVIDED OVER IDEOLOGICAL DIRECTION

(By Charlayne Hunter)

An intense and growing ideological debate between the advocates of a "new" Communism-Socialism and advocates of black nationalism has galvanized major segments of the black intellectual and activist community.

The debate, which has sparked numerous conferences along with a proliferation of position papers in scholarly journals and magazines, is the chief development in black thought since the civil rights movement culminated in black power in the late nineteen-sixties.

Its importance is itself a matter of debate. There are those who feel that it is confusing, uninformed, divisive and irrelevant. But there are others, including historians and political scientists, who view it as part of a historical pattern of black development in which periods of activism are followed by periods of introspection and theorizing.

#### SOCIALIST SOLUTIONS

Thus, it is the graduates of the civil rights movement and the student movement whose restlessness and frustration over falling short of their goals of complete liberation have set the stage for this new development in the "cyclical process," as one historian described it.

The conflict is at once national and international, scholarly and emotional, courteous and acrimonious, confused and lucid, serious and humorous.

At the Sixth Pan African Congress in Tanzania last fall, the 200-member American delegation was awestruck when representatives of one African government after another advocated socialist solutions to race problems, which, these speakers said—to the Americans' dismay—were based on class and not on blackness or race.

There, as here, the basic issue is whether race and culture is the most important factor in the oppression of black people or whether being poor is.

The issue is color-and-culture versus class, a debate that black thinkers have engaged in since Emancipation. It has gained a new urgency today, however, among young whites, too, but particularly among blacks, who are experiencing the worst of an economic downturn that is expected to continue for some time.

Many black studies departments at universities are divided over the issue and many organizations, including the National Black Assembly, are torn by it.

Because there are divisions within each group, depending on degrees of orthodoxy, strict definitions are difficult. Moreover, there are Marxist-Leninists among the blacks who maintain a Pan Africanist view and there are black nationalists who hold Socialist views.

#### CALL PREDECESSORS "FAKE"

Generally, however, the "new" Marxist-Leninists reject the Communist Party U.S.A. and the Communist movement of the nineteen-thirties as "fake" and "revisionist"—thus, Angela Davis is not a party to this debate—and see blacks in the role of initiators.

Among these "scientific Socialists" who emphasize economic class struggle and the

overthrow of capitalism and imperialism, are: Amiri Baraka, the activist poet-playwright; Ron Karenga the activist-philosopher now serving a sentence of from one to 10 years in a California penal institution for aggravated assault; S. E. Anderson, a mathematician on the faculty of Old Westbury college on Long Island; Owusu Sadauki, formerly head of the now-defunct Malcolm X Liberation University in North Carolina, and Mark Smith, former vice chairman of the Youth Organization for Black Unity.

Among the black nationalists who believe their oppression is due to their color and to cultural conflicts and that solutions must derive from and be carried out by black people, are: Haki Madhubuti (Don L. Lee), the Chicago-based poet; John Oliver Killens, the author; Ronald Walters, a political scientist; John Henrik Clarke, the historian; Jitu Weusi, head of the East, a black cultural organization in the Bedford Stuyvesant section of Brooklyn, and Kalamu ya Salaam, a Louisiana-based playwright and author.

The black nationalists are suspicious, even disdainful, of alliances with whites, and are extremely critical of former nationalists, like Mr. Baraka, who now say nationalists are part of "an ideology with three cutting edges—from nationalism to Pan-Africanism to Socialism."

In an edition of The Black Scholar, Mr. Madhubuti describes the black nationalists' position essentially as race "to work for race."

They regard Marxism-Leninism as "another integrationist program," according to Mr. Killens. And they accuse the advocates of being "faddists," and in some cases "opportunists."

#### ARMS OF SAME WHITE BODY

For Mr. Madhubuti, the conclusions of Marx and Lenin were "white and racist." And he further argues that racism predates both mercantilism and capitalism, and that capitalism and Communism are "the left and right arms of the same white body."

The problem, Mr. Madhubuti writes, is that "the Negro must stop trying to be like the American Express credit card, universally accepted. We must seek acceptance for ourselves before we seek acceptance outside the race."

Mr. Baraka's conversion to "scientific socialism" followed by some time other former black nationalists, including that of Mr. Karenga, the imprisoned former chairman of the militant West Coast group, US, who is regarded as a kind of spiritual mentor to Mr. Baraka. ("To know Baraka's position tomorrow, read Karenga today," commented a political scientist who has followed Mr. Baraka over a period of years.)

Nevertheless, Mr. Baraka has emerged—in print, at least—as a major spokesman for the "new Communism."

Distinguishing between it and the old Communism, of the thirties and forties, Mr. Baraka writes:

"We say our ideology is scientific Socialism, specifically as practiced and theorized by Marx and Lenin and Mao Tse-tung."

In the October, 1974, Black Scholar, he elaborates:

"Our struggle is ultimately a struggle to destroy capitalism, the creator of racism. Skin nationalism cannot do that. We need to gain a clear knowledge of Socialist theory, and unite with those who really want to build a new world. That is the only criteria. Black liberation is Socialist revolution."

Not only have response to these positions proliferated, but as they have a new language, new charges, new divisions and new casualties have emerged.

Mr. Walters, responding in Black Scholar, inveighed against the "many brothers and sisters, trapped in an imperfect understand-



ing of the long distance imperatives of black nationalism and Pan Africanism. The turn toward Marxism has represented a way out, a way to take off their African clothes, change back their names, reify their hair, pick up white friends again."

Also in Black Scholar, Mr. Anderson assailed Mr. Madhubuti's position: "In his desperate attempt to hold back the tide of the Afro-American and world revolution, Brother Madhubuti, insistently falls back on analyses and observations that have been relentlessly shown to be false."

In addition to the charge made by some Marxist-Leninist that the nationalists "only want to talk about how many kings we had in Africa," Mr. Karenga criticizes them for "mask [ing] contradictions among blacks in pursuit of an elusive ideal unity."

"But," he goes on, "regardless of chit'lins, fried chicken and soul, dancing-doin-it and rhythm there are basic conflictual differences among blacks and those are class differences."

Charles V. Hamilton, a political scientist at Columbia University and coauthor with Stokely Carmichael of "Black Power: The Politics of Liberation in America," holds the view that even among those who appear to hold conflicting positions there tend to be more similarities than differences and that assigning labels adds little clarity.

On the current debate, Dr. Hamilton argues that both sides are basically Socialist and that their positions with respect to the masses of black people are not that far apart.

Both sides are accused, for example, of focusing neither on immediate needs of the people nor on public policy issues. Yet, on both sides, there are people who argue that they are involved in thinking about or moving to affect these issues in one way or another.

#### DIVISION OVER THE WORKER

A major perceptual division is occurring, however, around the attitude toward the worker.

Mr. Smith, who has been active in union organizing efforts among textile workers in North Carolina, writes in the January-February issue of Black Scholar:

"Our experience has been that in struggling alongside black workers on the job—struggling to organize a caucus, to fight corrupt union leadership—one of the first points that brothers and sisters often raise is the need for a strategy to build unity between black and white workers!"

Ronald Walters does not oppose working with whites. "You can't turn all white people into devils," he says. "But you form coalitions—not because of some theory, but because of pragmatism—who has the resources—and you apply them on behalf of your people."

But John Oliver Killens is more cautious, arguing that blacks must integrate from a position of power, something he does not believe they now have.

"The problem with the instant Marxist," Mr. Killens says, "is that theirs is a misinterpretation of Marx." He went on:

"Marx talked about the absolute impoverishment of the working class, without talking about the absolute incorruptibility of the working class. The thrust should be for black working class leadership."

"With the unemployment problem becoming more crucial, I predict that white workers are going to shoot down black workers, fight them for the few jobs that are out there."

Mr. Killens said, however, that he sees no contradiction between black nationalism and Socialism, and views the debate as "divisive at a time when we need unity; that could be why it's happening."

Harold Cruse, the acerbic political analyst whose major work is "The Crisis of the Negro

Intellectual," argues that neither side knows what it is doing and that the whole debate is merely confusing.

"The kids are not equipped and the older people don't want to be bothered with the kids," he said in an interview from Michigan State, where he is a professor in both history and Afro-American studies. "But you have a generation gap created by a series of national and international developments that occurred too rapidly for anybody to embrace. Very few kids, for instance, understand the New Deal and the lasting impact it had on national forms. They take Social Security for granted, for example."

While Vincent Harding does not necessarily share Dr. Cruse's analysis,—he feels that the debate is "necessary"—he argues that there are new forces at work in the world that have implications for what happens in America. Those include "America's rise as an imperial force," and black Americans' experience in seeing revolutionary movements develop and succeed in such places as Mozambique and Guinea Bissau.

But primarily Dr. Harding, head of the Atlanta-based Institute of the Black World, believes that the black movement has "gained a right of its own to demand that it be dealt with as a power."

That is why the old questions have surfaced in a new debate, Dr. Harding believes. Can there be any real Pan-African liberation in Africa that does not involve total transformation in America? he asks. Is the working class scientifically ordained by history to lead the revolution? Is there a recognition of the uniqueness of America and of how difficult it is for black people to really open up and look at an ideology that embraces whites in a way that would not be poisoned by the realities of racism?

C. L. R. James, a leading Trinidadian Marxist theoretician and author now living and teaching in Washington, refuses to discuss the current debate.

Part of the answer may be found in his historical work on the Haitian revolution, "The Black Jacobins," first published in 1938, in which he wrote:

"The race question is subsidiary to the class question in politics, and to think of imperialism in terms of race is disastrous. But to neglect the racial factor as merely incidental is an error only less grave than to make it fundamental."

Although his life and works have spanned nearly a century of black ideological development, he confides in a whispering voice that he does not understand the conflict.

"In [George] Padmore's book, 'Pan Africanism and Communism' is an account of the work we did between 1935 and 1939. I was the editor of both the Trotsky paper and Padmore's [the Stalinist]. And we never quarreled. They were for the revolutionary emancipation of Africa and that was okay with us. We were for the overthrow of capitalism and that was okay with them. This quarreling now, I don't understand it."

If there are those among the elite who do not understand, many feel that the masses, with whom they all profess some affinity, have no idea of it at all.

"The elites are carrying them [the discussions] on as if the correct decision is absolutely fundamental for the struggle to go on, and they are absolutely wrong," said one black historian, who also prefers to stay out of the fray. "They are getting together because they feel something is on the way and they are trying to get a position so that they can say something the masses can follow. In 1960 and later, though, the ranks didn't wait for these discussions. They went into the streets in more than 150 cities. They don't need to worry about the masses. The masses will find their way."

For many of the intellectuals involved in the debate, however, there is the concern that basically what is wrong with it is that it is not broad-based enough.

As one former activist from the 'sixties said: "We wrote off everybody. The church. The political parties. The bourgeoisie. Well, it may not be all we want it to be, but it's there and it's organized."

"Take Jesse Jackson, for instance. Jesse doesn't fit into the equation, but he's trying to make a religious movement the basis for a new movement. We criticize Jesse for being a capitalist, but that's not really important. He can mobilize."

#### THE ILLUSIONS OF POWER

#### HON. HELEN S. MEYNER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mrs. MEYNER. Mr. Speaker, the final act of the Vietnam tragedy is being played out. It is right and proper that Americans now try to articulate the lessons that we have learned from that experience. Too often, however, these post-mortems take the form of bitter assessments of blame or simple rehashing of the old arguments on the merits of the war. It was encouraging to me to see instead a careful broad view articulated by the editors of the Delaware Valley News of Frenchtown, N.J. in a recent editorial. It deserves the attention of all Members of Congress.

The editorial follows:

#### THE ILLUSIONS OF POWER

The Vietnam debacle, at least for the older generation, can only be described in terms of the expression, "deja vu," the sense of having seen it all happen before. During World War II and for four years after, the United States poured billions of dollars into Nationalist China in the attempt to help Chiang Kai-shek stem the communist tide. Both the Nationalist Chinese and the South Vietnamese were led by a corrupt clique of generals and politicians, put or maintained in power by successive American Administrations.

In both cases, vast quantities of U.S. arms and supplies failed to create a national will to fight on the part of the Chinese and South Vietnamese people. Huge amounts of those arms and supplies were, according to report, actually sold to the Communists. In China, and now in Vietnam, arms, ammunition, tanks, planes and guns worth billions of dollars have been abandoned to the Communists without even a pretense of resistance. Company and battalion commanders in the South Vietnamese "army" are said to even sell food and arms to their own men, and in the recent panic retreat, supposedly "crack" troops thrust aside starving civilians trying to get aboard rescue ships and planes.

And now, we have the incredible spectacle of still another American general demanding a further half billion dollars worth of military aid for an army that has never fought, is not fighting now and will never fight.

The whole sorry sequence of events in East Asia can be traced directly to the Communist hysteria of the 1950s, a hysteria that a generation of rightwing politicians, beginning with McCarthy and Nixon, has foisted on the American people. The word "communist" causes a knee-jerk reaction among

these politicians and Pentagon generals, and their immediate reaction is to go for their guns. That hysteria created a C.I.A. that has given us a rotten-egg image all over the world.

We have been living an illusion of omnipotent American power and we will have to shed that illusion before any realistic foreign policy is obtainable. The war hawks claim that failure to support South Vietnam will hurt our credibility; instead, that credibility has already been badly damaged by misuse of our immense wealth and power. The result is an anti-American tide of opinion throughout large parts of the world.

But the war hawks in Congress show signs that at last they are beginning to listen to their constituents. Many, returning to Washington last week, said the voters are fed up with the war. And that is the only way we can find our way back to sanity in foreign policy—for the grass-roots voter to make it unmistakably plain to the politicians that the time for foreign military adventures is over.

### WASTE BY THE U.S. ARMY IN EUROPE

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. DOWNEY. Mr. Speaker, for more than two decades now the United States has maintained a massive military establishment in Europe. Yesterday Newsday published the first in a series of articles that raises serious questions about the effectiveness of our forces there. In the coming weeks, we in Congress will be considering the Defense budget and I think that the facts revealed in Newsday will contribute to the quality of our decision. Therefore, I would like to share this first article with my colleagues.

DECAY IN THE MOTOR POOL; FOR WANT OF A JEEP . . .

(By Patrick J. Sloyan)

Boblingen, West Germany.—Millions of taxpayer dollars are being wasted by the U.S. Army in Europe because of inadequate care of overflowing stocks of tanks, guns, trucks and other military equipment that have rusted, decayed and provided easy pickings for the arms black market.

An extensive investigation by Newsday has found that:

At least \$52,000,000 is needed to repair neglected equipment supposedly ready for combat on six hours' notice.

More than \$32,000,000 worth of Army hardware in West German depots cannot be accounted for and has been either stolen or misplaced. As a result, the "combat-ready" vehicles in these depots have been stripped of their batteries to prevent theft.

Expensive German labor performs exhaustive overhauls on Army vehicles requiring only minor repairs that should have been done by U.S. soldiers.

Inadequate maintenance has resulted in expensive vehicles lasting only a part of their expected lifetimes, necessitating costly overhauls ahead of schedule or the purchase of even more expensive replacement vehicles.

Thousands of vehicles meant to replace combat losses in a future war are left rusting and inoperable, untouched by human hands for years.

Army field commanders are covering up serious maintenance problems that would affect their combat capability—and Congress has overlooked them.

The findings raise serious questions about the effectiveness of what the Defense Department's Installation and Logistics Division says is a \$25 billion-a-year budget for worldwide maintenance of U.S. military equipment purchased at a rate of \$40 billion a year.

In recent years, the Pentagon has been under fire for the way it buys equipment that some defense officials say costs twice as much as promised and performs only half as well as expected. Largely ignored, however, has been the nuts-and-bolts side of military maintenance of goods worth billions of dollars.

The past and current failures in military housekeeping are blamed on everything from the Vietnam war to the kind of soldiers being recruited by the all-volunteer Army.

A number of Army commanders in Europe say that the Defense Department has simply refused to provide enough manpower in recent years to care adequately for European military supplies. "Our primary concern was Vietnam, and the Army in Germany suffered," said Col. William Miller, chief of logistics at U.S. Army headquarters in Heidelberg.

Another frequent criticism by some military officials is that the Army dropped its entrance standards so low when the draft was eliminated that today's soldier is unable or unwilling to keep costly equipment in good repair.

But perhaps the overriding reason is that the Army has too much equipment in Europe to care for properly. From Defense Secretary James Schlesinger on down, no one in the Ford administration knows exactly how much—in terms of total dollars or items—the Army has in European stocks.

Whatever the reasons, the poor maintenance and resulting waste is being hidden from Congress, senior civilian officials in the Pentagon and military commanders.

Extensive interviews with officials in Washington and at Army headquarters in Heidelberg produced assurances that as much as 90 per cent of the military hardware in Europe was up to snuff, ready for war.

But visits to units doing the actual work at lower levels and a still-to-be-released classified government report produced dramatically different set of facts. Proper maintenance procedures were found to be absent in combat-ready units, which are supposedly prepared for war at a moment's notice, as well as in units maintaining stockpiles of supplies for troops that would fly to Europe in a crisis.

The classified report, by the General Accounting Office, has concluded that Army front-line units have not done effective maintenance. According to GAO investigators, Army commanders were not planning or executing effective repair programs. The GAO focused on the lack of skilled or motivated soldiers to do the work; a backlog of broken tanks, jeeps and trucks throughout the Army because of inefficient motor pools or a slow supply system, and all these and other problems covered up with glowing reports of combat readiness sent on to higher headquarters.

"They just aren't doing the job, and no one really seems to care about it," one GAO investigator said.

A down-to-earth picture of Army maintenance, the key to the Army's ability to go to war and withstand the rigors of combat, can be found on a wooded hillside in Boblingen.

The scene is the headquarters motor pool of the 4th Battalion, 73rd Armored Division.

This is where basic maintenance is supposed to be carried out. A sergeant speaks:

"Yeah, well, you tell him to get down to this motor pool hubba-hubba because we got work to do here and he is in deep trouble."

Warrant Officer Paul Michaelis, of Salt Lake City nods approvingly. "I've got a good motor pool sergeant. You can't do this job without a good sergeant."

Michaelis was such a good sergeant—with a keen eye and sure hand in keeping the heart of a mechanized Army pumping—that he was made an officer. He is a 13-year veteran of motor pools in Vietnam, Korea and Europe. His job is to keep 51 tanks and an assortment of trucks, tank retrievers, armored personnel carriers and jeeps out of the motor pool and on the road. This equipment belongs to the front-line U.S. troops who would bear the brunt of initial fighting in some future European war.

"Well, we try, but we're just not getting the job done," Michaelis said in an interview. "The equipment is going down much sooner than it should. They don't get near the lifetime out of these tanks, and they cost \$400,000, or these five-ton trucks or the smaller trucks or the jeeps."

"Now look at this five-ton truck. It's only two years old. It won't last more than five years. It should last 15 years, maybe 20."

"If we were a commercial company we'd go broke. You should see the breakdowns on these field exercises. That's a real eye-opener."

Despite the self-criticism, Michaelis and his motor pool men put in five- and six-day weeks to accomplish what they can. He has begun his own program of maintenance on his most expensive vehicles—the tanks—so that each gets a thorough going-over twice a year. His jeep, and trucks, however, do not get that kind of attention.

Nevertheless, Michaelis said that tank crews and truck drivers are not performing the routine maintenance that is required to achieve an economical length of service for his vehicles. Instead, they are on guard duty, in a parade, in a class on racial relations or doing tasks other than maintenance.

"They say there will be a half-day of maintenance," he said. "Well, hell, it takes a half day just to open the tank and get your tools out."

The "Army way" of doing things is also wasteful. Instead of repairing, for example, the turbocharger on a tank engine, motor-pool personnel remove the whole engine and replace it with a new engine. "I can fix the turbocharger but they won't let me," said Spec. 5 Sidney Watson of Albuquerque, New Mexico. "They just waste the money."

The supply system has been another problem. On the day of his interview, Michaelis had eight vehicles out of action because of missing parts. "We got an automated, computerized supply system," he said, "but we're still running it on a manual, pencil-and-notepad basis."

Michaelis said that the Army should reorganize its maintenance system, giving each major unit a garage. "Then you would take the vehicle to the garage to have whatever work needed done by a staff of mechanics. You could have contact teams from the garage visiting the units at a lower level."

What the Army does have is three to four levels of maintenance, with each higher level doing more complex and extensive overhauls. What happens, however, is that lower units simply ignore their maintenance, sending equipment on to higher levels.

Regulations require that most tanks get scheduled maintenance at 500- and 1,000-mile intervals, with most of the relatively



minor work performed by American soldiers at their unit levels. However, when a tank rolls up 5,000 miles, it is scheduled for a major overhaul, getting a new lease on life by costly replacements of engines, damaged metal, electronics, gunsights and other equipment. Tanks that have been knocked out on the battlefield have gone through such overhauls and rolled out of the depot ready for war once again. But the Army doesn't always follow its own procedures.

For example, the Government Accounting Office discovered that the Army was shipping to depots hundreds of tanks that should have had minor repairs at lower levels. The depots—where tanks are revitalized through extensive rebuilding—are manned by German civilians whose hourly wages have gone from \$5 in 1970 to \$19.75 today because of dollar devaluation.

There are three such depots in West Germany, which spend \$63,000,000 a year to do work that could be done by soldiers. As a result of the GAO study, the Army says it is closing two of the depots at a savings of \$53,000,000 a year.

The Army continues to lean on Germans and other local civilian workers to maintain everything from its mess halls—it employs 2,800 German pot scrubbers—to its tanks, even though the cost of their employment has skyrocketed as the dollar's value has sunk on the international monetary market. Currently, there are 52,000 local civilian workers who run up a \$435,000,000-a-year payroll paid by U.S. taxpayers.

In a series of interviews in Zell, Wurzburg, Kaiserslautern, Schwabish-Gemund and other U.S. installations in West Germany, veteran Army mechanics focused, to one degree or another, on the same problems outlined by Michaelis: lack of skilled personnel, poor scheduling of maintenance, backlogged supply systems and an overall lack of concern about nuts and bolts and the grease-gun side of Army life.

As far as the Army is officially concerned, the vehicles and equipment are ready to roll. But some senior officers said privately that while the effort in U.S. Army motor pools had improved in recent years, adequate maintenance still was far from official Army goals.

"Things are a lot better today than they were, I can tell you that," said Col. Patrick Roddy, who is in charge of \$700,000,000 worth of hardware pre-positioned in Germany for troops who would be flown to Europe in an emergency.

Of the 5,000,000 components under his control, mostly in warehouses at eight sites in Germany, there is enough to equip three Army divisions and send them into battle on six hours' notice.

It turns out, however, that there are no batteries in the 28,734 trucks and jeeps, 15,960 tanks, armored personnel carriers and other vehicles stored in Roddy's warehouses. The batteries are stored in separate warehouses—often miles from the vehicles—at these eight sites. They must be filled with liquid and recharged before they are reinstalled in the vehicles.

"We had to take the batteries out because they were stealing the stuff," Roddy said in an interview. "They were ripping off trucks, cranes, bulldozers—all kinds of stuff. They caught one group and they were mainly French and Czech. They'd make out a phony trip ticket and drive the stuff to Amsterdam usually."

"Then they'd sell it for the highest price, usually for the Mideast. It didn't make any difference which side—just to the highest bidder."

Roddy said he did not know how much was stolen from the stockpiles, but as a result,

he has beefed up the German guard force around them with police-dog teams.

Last year, the Army could not account for \$32,000,000 worth of such stockpiled goods. "It could have been stolen or just misplaced—they have so much," one government auditor said.

Today, Roddy is directing a "get-well" program for these strategic stockpiles, which have been amassed since the Berlin crisis of 1962. The Kennedy administration began the stockpiling after encountering logistics difficulties during the cold-war era.

"I'd say we're in pretty good shape now," Roddy said. According to the Army, more than \$12,000,000 has been spent at the sites under Roddy's command during the past year to repair hardware that was permitted to deteriorate during the Vietnam war through lack of maintenance.

But according to the Government Accounting Office, an additional \$52,000,000—or a total of \$64,000,000—would be required to "restore the equipment and replace shortages."

"The repair program appears to be one of repairing equipment which should have been maintained throughout the years," the GAO said in another still-classified report. "Unless more resources are applied to keeping pre-positioned equipment operable, similar get-well programs will be necessary."

Roddy has a 1,800-member work force that continually performs maintenance on the stockpiled equipment, hoping to check and repair all of it—if necessary—on a cyclical basis. "It's hard to keep up with the volume," Roddy said.

At least once a year, the equipment under Roddy's supervision is removed from sprawling parking areas and taken to the hillsides of Germany by combat units flown from the U.S. on "Reforger" operations.

Another use for the pre-positioned stocks dedicated for use in some future European war is rarely discussed. But on more than one occasion, the U.S. has dipped into the supplies to aid foreign countries in an emergency. During the 1973 Arab-Israeli war, the U.S. quickly sent 450 tanks to Israel, many of them "borrowed" from the West German stockpiles. Last year, the stockpile again was tapped for several dozen M-60 tanks, sent that time to Ethiopia.

These little-noticed maneuvers have left the U.S. Army 1,650 tanks short of its authorized strength of 8,350. Now the Army is pushing for a replacement tank that could cost more than \$1,000,000—almost triple the price of its current front-line weapons.

There is still another category of stockpiled equipment that the Army at one point "overlooked." It is at the combat theater replacement centers, designed to resupply NATO's losses after a future war is under way. In 1972, the Army complained that Vietnam had left it dangerously short of tanks that would be needed in the event of the start of war. But after some checking by Congress, the Army "found" 4,000 to 5,000 more tanks, mainly at the West German replacement centers.

Equipment in the combat replacement centers gets substantially less attention than the warehoused supplies under Roddy's command.

Rows upon rows of tanks, trucks, jeeps and other equipment at the combat center sit out in the European rain and snow. Metal rusts. Tires decay. Canvas rots. No one knows exactly how much of this equipment exists—no one has counted it.

The largest such center, in Gernersheim, is manned by German civilians who, at large salaries, bicycle rather than walk around the sprawling complex doing a job they will never finish.

"We have no worries about stealing here," said an English-speaking German mechanic with a wave of his hand. "Even if they could get them started, they would not get far."

In fact, it would probably take weeks—even months—to prepare most of the Gernersheim equipment for combat, provided the Army had the men and time to do the job.

The Germans, in a methodical fashion, do not check individual vehicles; instead, they sample one vehicle to get an indication of what must be done to groups of 100 and 200 vehicles. Even so, most of the equipment goes untouched by human hands for at least four years at a time. (The Army schedules major maintenance in four-year cycles).

The Army's depots at all levels appear to be designed with the idea that war will never come to Europe again. All this equipment is crammed into neat rows or clearly marked warehouses—there is no camouflage—that could be destroyed in hours by a handful of aircraft.

The sitting-duck aspect of the stockpiles has concerned some veteran members of Congress. Rep. Clarence Long (D-Md.), remembers the vulnerability of Pearl Harbor.

"They [the stockpiles] are terribly vulnerable," Long said in an interview. "There isn't very much we could do to hold off the Russians. They have the stuff there. Their bases are dispersed. The more we have over there, the more we might lose if a war really broke out."

The Pentagon has ignored Long's complaints, arguing that German real estate is simply too costly to be bought for dispersing its highly concentrated stockpiles.

Despite evidence to the contrary, Army commanders in Europe today insist that poor maintenance is behind them. "Things were bad over here during the Vietnam war," said Col. Bill Miller, who helps direct Army maintenance in Europe.

"The horror stories are true—sickeningly true. But the need then was in Vietnam and that's where the people were. Now, they're here getting the job done."

But the headquarters assessment is based on reports from field commanders—reports traditionally designed to please superiors more than present the facts. "We're making an effort to overcome this old Army tradition," said another senior officer. "We want the truth."

The truth is that Defense Secretary Schlesinger is about to cut back the Army's maintenance effort in Germany as part of reducing support units in favor of bolstering combat ranks. It's part of Schlesinger's new theory that the substantially larger Soviet and Warsaw Pact nations will no longer ride roughshod over NATO forces in Europe in the event of war. The theory, in reality, was forced on the Ford administration by a Democratic Congress increasingly fed up with the Pentagon budget in general and the cost—almost \$20 billion a year—of maintaining U.S. forces in West Germany.

For 26 years, the U.S. has paid to keep 300,000 troops, along with their 250,000 dependents, ready for a war that has become increasingly improbable as Western Europe has matured economically and militarily.

The changing work scene, along with the drain on the U.S. Treasury and adverse impact on U.S. balance of payments abroad, has increased support in Congress for a proposal by Senate Majority Leader Mike Mansfield (D-Mont.) to bring American troops home from Europe.

In the face of that pressure, the Pentagon is attempting to cut costs by reducing support units charged with doing maintenance and other non-combat duties. Rather than improving care given to equipment that cost

taxpayers dearly, the effort appears to be in the process of being reduced.

Until the major foreign-policy battle over U.S. troops in Europe is concluded in Congress, the Pentagon continues half-hearted preparations for a war that probably never will be.

The reality in this Alice-in-Wonderland policy centers on the Army's ability to prepare for a conventional war in Europe. In that struggle, a key weapon is the grease-gun in the motor pools of Germany. Today, the Army appears to be losing that battle, and there is no doubt that taxpayers are covering the motor-pool losses.

## SYMPOSIUM ON OUR NATION'S HUNGER PROBLEM

### HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. ESCH. Mr. Speaker, on March 13 and 14 of this year administrators of the Womens, Infants, and Children feeding program—WIC—from around the nation held a symposium on our Nation's hunger problem at the University of Michigan's School of Public Health. The participants discussed the various aspects of the program, reviewed legislative proposals and came up with a series of recommendations.

Although I am not necessarily in agreement with each and every one of the points made, I would like to share them with my colleagues. I think it is important that as the Congress considers this legislation they are aware of the opinions and recommendations of those who work with the program in the field.

#### RECOMMENDATIONS OF THE WIC SYMPOSIUM

##### I. RECOMMENDATIONS OF WORKSHOP NO. 1 "WIC PROGRAM FINANCE ISSUES"

A. This workshop finds that the administrative, fiscal and humanitarian concerns arising under the Child Nutrition Act of 1966, as amended, have been largely addressed under the proposed National School Lunch and Child Nutrition Act Amendments of 1975 (S. 850 and its counterpart H.R. 4103). This workshop endorses the elements of these amendments with the following exceptions:

1. A member of a low income population should be defined as one who is eligible for free or reduced rate medical care under any federal, state, local, public or private health care service program.

2. The term "pregnant and lactating women" as defined by Section 16(g)(1) of the proposed National School Lunch and Child Nutrition Act Amendment of 1975 should be amended to include women to one year post-partum and should be further amended by substituting the term "women" for the word "mothers" whatever the latter occurs in said definition.

3. The term "administrative costs" should be amended throughout the text to read "operational costs".

4. All rules and regulations promulgated pursuant to Section 16 of the National School Lunch and Child Nutrition Act Amendments of 1975 should be drafted within sixty days after the passage of this law and should be submitted to the National Advisory Council on Maternal, Infant and Fetal Nutrition,

and to the state and local agencies, for review and comment within thirty working days of this date and prior to publication in the Federal Register.

5. Cost-of-living adjustments should be included in the legislation to permit automatic budgetary response to external fiscal pressures caused by inflation.

B. This workshop finds that the United States Department of Agriculture has promulgated rules and regulations for the implementation of the WIC Program that are directly contrary to the intent of Congress and detrimental to the best interests and health needs of the people of the United States, and that, therefore, the Congress should increase its oversight function to insure Department compliance and implementation of the will of the legislative branch.

C. This workshop finds that all supplemental applications should be funded for implementation on January 1 or July 1 only. Notification of funding status should be made within six weeks prior to funding.

D. This workshop finds that the states should be permitted flexibility in adjusting the food package supplied to reflect cultural or other dietary differences among the populations served, such adjustments being allowed for at least one-half of the total allotment available to the client.

E. This workshop finds that the Congress should exercise all due speed to enact the necessary legislation to continue the WIC Program to prevent interruption of service to the women, infants and children of this nation.

##### II. RECOMMENDATIONS OF WORKSHOP NO. 2 "MEDICAL EVALUATION AND ASSESSMENT OF NUTRITIONAL RISK"

A. The WIC Program should remain as a component to a health care delivery system.

B. It is paramount to maintain the highest quality medical records possible within each WIC program.

C. Section 16(f) of S. 850 should be revised to read as follows:

"State or local agencies or groups carrying out any program under this section shall maintain adequate medical records for ongoing surveillance of the nutritional assistance provided under this section, for the purpose of assisting Congress in determining the appropriate role and methods of examining the benefits of the nutritional assistance provided under this section. The Secretary shall convene an advisory committee . . .

##### III. RECOMMENDATIONS OF WORKSHOP NO. 3 "WIC ELIGIBILITY CRITERIA"

A. This workshop wishes to emphasize its support of the view that the WIC Program is a preventive program and a remedial program second.

B. With respect to the above statement, this workshop recommends in particular that WIC eligibility shall not be limited to persons who demonstrate or have an actual history of nutritional deficiency.

C. Neither the state agency nor the United States Department of Agriculture shall impose on projects more restrictive eligibility criteria than those stated in the law. An example of such an excessively restrictive eligibility criteria would be that an individual be required to demonstrate a preexisting nutritional deficiency.

D. Benefits under section 16 of the proposed National School Lunch and Child Nutrition Act Amendments of 1975 shall be made available to women one year post partum and for infants up to age six.

E. Change Sec. 16. Section 17(g)4 of the proposed National School Lunch and Child Nutrition Act Amendments to read exactly as Section 17(f)4 of Public Law 92-433. The existing law reads as follows:

"(4) 'Competent professional authority' includes physicians, nutritionists, registered nurses, dietitians, or State or locally medically trained health officials, or persons designated by physicians or State or local medically trained health officials as being competent professionally to evaluate nutritional risk."

F. Benefits under Section 16 of the proposed National School Lunch and Child Nutrition Act shall be made available to migrant worker families.

F. WIC program grantees shall provide or contract for prenatal health services.

G. A state/local advisory committee with consumer representation should be established to determine, among other things, the selection of foods of the nutritional supplement for various ethnic groups.

## THE PRESIDENT'S BUDGET PUNISHES THE POOR

### HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. HAWKINS. Mr. Speaker, the persons hit hardest by the current recession are the poor. With less money to spend for food, clothing, and shelter, then middle- and upper-income families, poor families are just managing to survive. Their existence is day to day, and their future does not look promising.

The President, in his 1976 budget, wants to make an even greater strike at the ability of the poor to live.

In a recently published book called UAW Proposals to Stimulate the Economy, UAW's President Leonard Woodcock presented testimony to the U.S. Senate Committee on the Budget on March 4, 1975, on the President's budgetary slashes.

Mr. Woodcock's view, which I want to share with my colleagues, draws attention to the inappropriate nature of the President's budget proposals:

#### SPENDING CUTS

Inconceivable as it may seem in a year when jobs and incomes are scarce, federal programs that serve the poor and elderly—community health and mental centers, Medicaid, food stamps, welfare, child nutrition programs, federal pensions and income plans—are the object of cuts in the 1976 fiscal budget. The President would like to see a decrease in spending amounting to \$17 billion. Of these, only \$12.3 billion require legislative action. These almost surely will be rejected by Congress. Nevertheless, it is informative to look into the specific nature and the magnitude of some of these cuts:

	Proposed cut (millions)	Proposed cut as a percentage of fiscal year 1975 outlays on each area of expenditure
<b>INCOME SECURITY</b>		
Old-age, survivors, and disability insurance.....	\$3,194	5.0
Railroad retirement.....	116	3.8
Special benefits for disabled coal miners.....	23	2.4
Federal employee retirement and disability.....	773	10.8



	Proposed cut (millions)	Proposed cut as a percentage of fiscal year 1975 outlays on each area of expenditure
Supplemental security income...	85	1.8
Grants to States for public assistance payments.....	499	10.3
Food stamps.....	217	5.9
Child nutrition and other food and nutrition programs.....	215	11.1
Subtotal, income security.....	5,122	
<b>HEALTH</b>		
Medicare.....	1,379	9.7
Medicaid.....	610	9.0
Health research and education.....	196	7.3
Subtotal, health.....	2,185	
<b>EDUCATION</b>		
Elementary, secondary and vocational education.....	255	6.0
Research and general education aids.....	98	10.4
Subtotal, education.....	353	
<b>SOCIAL SERVICES</b>		
Grants to States for social services.....	478	24.2
Total.....	8,138	

Many of these spending cuts, especially in the area of income security, result from requesting a ceiling for automatic increases under cost-of-living formulas. According to the Administration, we have gone too far in taking care of the needy. In the words of Roy Ash, Director of the Office of Management and Budget, at the time the 1976 budget was put together: "In the past 25 years, this country has been more compassionate toward those in need than at any other time in the history of this country or any other country. It is a question of how well off they should be."

For the 23 million persons—11 percent of the U.S. population—who were living under the official (extremely low) poverty threshold in 1973, such a statement is a slap in the face. Among those people singled out for most of the cuts—the old and retired—the incidence of outright poverty was over 16 percent in 1973 and surely larger in 1974.

Other cuts, like those in Medicaid and social services, are based on the assumption that the states will pick up a larger share of the cost of programs that are jointly financed by the federal and state and local governments.

Such an assumption is totally unrealistic at a time when inflation and recession have drastically reduced the ability of state and local governments to maintain even the most essential services. This was recognized by Charles Edwards, Assistant HEW Secretary for Health, who was prompted to resign by the Administration's utterly indefensible proposals to shift health funding from Washington to state and local governments. In his resignation memo Dr. Edwards pointed out:

"Proposing to shift additional health cost burdens to the states during our current economic climate immediately translates into letting the disadvantaged carry the fight against recession.

\*The latter part of this statement is simply not true. Many other countries surpass ours in their care for the needy. Many do this, of course, by ensuring that there are very few people in real need—e.g., by keeping unemployment low, by more equitable distribution of income, etc.

"With our rising unemployment and inflation more people will be in need of these federally supported services and most states will be unable to absorb the cost burden."

The budget also proposes that the pay raise for federal employees next October, which usually reflects the increase in the cost of living, be held to 5 percent, for a "saving" of \$1.6 billion in 1976. According to the Administration, the federal government should defray part of the cost of unemployment insurance and public employment by picking the pockets of its own employees.

## GOVERNMENT FACILITIES AND OPEN HOUSING ACT OF 1975

### HON. GLADYS NOON SPELLMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mrs. SPELLMAN. Mr. Speaker, I am introducing legislation today to require Federal agencies and Federal contractors to assure that an adequate supply of middle- and low-income employees will be available in any community in which a Federal Government facility is to be located. This legislation, the Government Facilities and Open Housing Act of 1975, requires Federal agencies and Federal contractors to expand or locate Federal facilities only in those communities willing to provide adequate housing for the facilities' low- and middle-income employees. If a contractor locates or expands a Government facility in violation of this act, the Equal Employment Opportunity Commission is given the power to terminate all Federal contracts held by such contractor unless the agency involved certifies that such termination will seriously and substantially impede the mission of the department or agency. Likewise, any State agency that locates a facility in violation of this act may have its Federal assistance terminated until compliance is achieved.

In addition, this legislation provides that the Federal Government will provide grants to local educational agencies for the anticipated additional cost of educating the influx of children brought into the locale by the construction of such new housing in the immediate area of a Federal Government facility.

In recent years more and more new jobs have been created in the suburbs by the location or expansion of Federal facilities. However, often a Federal facility is located, relocated, or expanded in a suburban area where its workers are unable to reside. This is often caused by local restrictive zoning practices or by inadequate planning by Federal Government decisionmakers. The result is a group of people who are left behind, who are unable to commute to their job or can do so only at extraordinary expense. The answer is housing for people near their place of work. In order to safeguard present employees and new employees against the present lack of housing opportunities for employees

in neighborhoods close to where their place of work is located, this legislation is necessary. If this Nation wants to preserve and create neighborhoods around which people can center their work, home, and community lives, this legislation is necessary. If the Federal Government wants to recognize its responsibilities in a manner that will preserve and create communities with a full range of housing opportunities, this legislation is necessary.

The material follows:

H.R. —

A bill to require Federal agencies and Federal contractors to assure that an adequate supply of housing for middle and low-income employees will be available in any community in which a Government facility is to be located, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Government Facilities and Open Housing Act of 1975.

#### FINDINGS

SEC. 101. The Congress finds that—

(1) Government facilities are increasingly being located outside central cities in communities which have not made housing available for middle or lower income employees;

(2) the unavailability of middle or lower income housing in such communities compels many employees of Government facilities to commute long distances at considerable expenditure of time and money to acquire or retain employment;

(3) the growing separation of work sites from residences, especially for middle and lower income Government employees and Government contractor employees, prevents the proper matching of jobs and workers in the nation's metropolitan areas and contributes to the persistence of the manpower problems of central cities; and

(4) a positive, affirmative program is necessary to provide middle and lower income employees of Government facilities with the opportunity to purchase or rent decent and safe housing in suitable living environments, at rents and prices they can afford, in all communities in which such Government facilities are located.

#### STATEMENT OF PURPOSE

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

(1) to require Federal agencies and Federal contractors to assure that an adequate supply of housing for middle and lower income employees will be available in any community in which a Government facility is to be located; and

(2) to provide financial assistance to communities to assist them in meeting the requirements of this Act.

#### DEFINITIONS AND DETERMINATIONS

SEC. 103. As used in this Act, except where otherwise specified—

(1) "Government agency" means any agency or authority of the Federal Government;

(2) "Government employee" means any person employed by any Government agency;

(3) "Government facility" means any building or complex of buildings occupied in whole or in part during working hours by more than twenty-five Government employees or any plant, factory, installation, office, or other place of business which houses, during working hours, more than 25 employees of a Federal contractor;

(4) "Federal contractor" means any person, corporation, partnership or association

with more than fifty employees which is a party, the parent company of a party, a subsidiary of a party, or a subsidiary of the parent company of a party, to any contract, or which is a subcontractor under a contract, with any Government agency, which exceeds \$50,000 in value;

(5) "immediate area" means any area which is within the corporate limits of the community in which a Government facility is located and which is within a reasonable commuting distance as defined by the Chairman;

(6) "middle and lower income employee" means any employee of any Government agency or Federal contractor whose wages and salary are such that he is unable to buy or rent decent and safe housing in a suitable living environment in the immediate area with 25 per centum or less of his monthly income;

(7) "Chairman" means the Chairman of the Equal Employment Opportunity Commission or his designee;

(8) "community" means any political subdivision of a State;

(9) "locate" means to establish or construct a Government facility, to move a Government facility from another location, or to make any addition or additions to, any Government facility so that such additions or the sum of such additions results in increasing the work force at that facility by fifty employees within any 365-day period;

(10) "child" means any young person who is within the age limits for which the applicable State provides free public education;

(11) "parent" means a legal guardian or other person standing in loco parentis;

(12) "free public education" means education which is provided at public expense, under public supervision and direction, and without tuition charge, and which is provided as elementary or secondary school education in the applicable State;

(13) "current expenditures" means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operations and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services capital outlay, and debt service, or any expenditures made from funds granted under title I, II, and III of the Elementary and Secondary Education Act of 1965;

(14) "local education agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities for providing free public education;

(15) "State educational agency" means the officer or agency primarily responsible for the State supervision of public elementary and secondary schools;

(16) "State" means a State, Puerto Rico, Wake Island, Guam, the District of Columbia, American Samoa, or the Virgin Islands;

(17) "Commissioner" means the United States Commissioner of Education;

(18) "construction" includes the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities;

(19) "school facilities" means classrooms and related facilities (including initial equipment) for free public education and interests in land (including site, grading improvements) on which such facilities are

constructed, except that such term does not include those gymnasiums and similar facilities intended primarily for exhibitions for which admission is to be charged to the general public; and

(20) "equipment" means machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and, audio-visual instructional materials, and books, periodicals, documents and other related materials.

(b) Average daily attendance shall be determined in accordance with State law, except that the average daily attendance of children with respect to whom any payment is to be made under section 1112(g) (1) shall be determined in accordance with regulations of the Commissioner.

(c) The average per pupil cost of constructing minimum school facilities in the State in which the school district of a local educational agency is situated shall be determined by the Commissioner on the basis of the contract cost per square foot under contracts for the construction of school facilities (exclusive of cost of site improvements, equipment, and architectural, engineering, and legal fees) entered into in the States for the second fiscal year preceding the year of the application, increased by a percentage estimated by the Commissioner to represent additional costs for site improvements, equipment, and architectural, engineering, and legal fees, and multiplied by a factor estimated by the Commissioner to represent the area needed per pupil in minimum school facilities. If the Commissioner finds that the information available for the State concerned for such second preceding fiscal year is inadequate or not sufficiently representative, he shall determine such cost on the basis of such information as he has available and after consultation with the State educational agency. The cost of constructing minimum school facilities in the school district of a local educational agency shall be determined by the Commissioner, after consultation with the State and local educational agencies, on the basis of such information as may be contained in the application of such local educational agency and such other information as he may obtain.

(d) The Commissioner shall determine whether school facilities are minimum school facilities after consultation with the State and local educational agencies, in accordance with regulations prescribed by him. Such regulations shall (1) require the local educational agency concerned to give due consideration to excellence of architecture and design, (2) provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans thereof if the cost of such works of art does not exceed 1 per centum of the cost of the project, and (3) require compliance with such standards as the Secretary of Health, Education, and Welfare may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons.

#### RESTRICTIONS ON THE LOCATION OF GOVERNMENT FACILITIES

SEC. 104. (a) After January 1, 1976, no Government facility may be located in any community which has failed to develop an acceptable plan which provides, as determined by the Chairman, an adequate supply

of housing for middle and lower income employees of that facility.

(b) Each Government agency or Federal contractor shall, prior to initiating location procedures, require written assurances in the form of a plan that the appropriate government body will meet the requirements of section 105.

(c) (1) If, after the acceptance of the plan, by the Chairman, any community fails to comply with the provisions of the plan, the Chairman shall bring a civil action in the United States District Court for the District of Columbia to secure an injunction to require such community to conform to its plan.

(2) The United States District Court for the District of Columbia shall have jurisdiction of any action brought under this subsection.

(d) If any Federal contractor locates or expands any facility in violation of the provisions of this section, the Chairman shall, after giving appropriate notice, notify the heads of all Government agencies who shall suspend or terminate all Federal contracts held by such contractor, except that the head of each Government agency having a contract with such Federal contractor may, if he determines that termination or suspension will seriously and substantially impede the mission of the agency, continue such contract. Any determination made under this subsection by the head of a Government agency shall be subject to judicial review as provided in chapter 7 of title 5, United States Code.

#### THE PLAN

SEC. 105. Each plan required to be filed by section 104 of this Act shall—

(1) be evidenced by a contract between the Federal Government, as represented by the Chairman, and the governing body of community in which the Government facility is to be located;

(2) provide assurances that at least one unit of middle and lower income housing will be available in the community for every prospective middle and lower income employee of the Government agency or Federal contractor, and such units shall meet the requirements of size, price, location, cleanliness, and habitability as set by the Chairman after consultation with the Secretary of Housing and Urban Development;

(3) provide assurances that the community has taken the necessary steps to permit operation of all housing programs authorized under Federal housing legislation;

(4) contain a timetable for providing the housing units required by paragraph (2) of this section, at least one-half of which shall be completed within 6 months after the actual completion date of the Government facility, and the remaining units will be in existence within 12 months after its completion date; and

(5) provide for sufficient community services to serve the new residents of the community.

(b) Whenever a community does not file a plan or is found to be in noncompliance with an approved plan, and there are compelling reasons for the Government contractor facility to locate in that community, the Federal Government shall provide housing to meet the needs of current and potential middle and lower income employees.

(c) If the Chairman determines that a change in the local situation, the size of the Government facility or other relevant factors necessitates a modification of the plan, he may approve such modifications, if they are proposed by the community, or require a community to make necessary modifications, except that such modifications may not impede the effectuation or achievement of the purposes of this Act.



(d) The Chairman shall reject any plan or any modification in any plan which would result in residential segregation of low- and moderate-income families within the community.

#### JOINT PLANNING

SEC. 106. If the Chairman determines that, as a result of the size, location, and accessibility of two or more communities, it would facilitate implementation of the purposes of this Act for such communities to develop a joint plan, he may approve such plan.

#### REPORTS

SEC. 107. (a) Each Government agency and Federal contractor shall report annually to the Chairman the number of low- and moderate-income employees employed at each Government facility, the availability of housing for such employees, and such other information as the Chairman may require.

(b) The Chairman shall prepare, in cooperation with the Secretary of Housing and Urban Development, a report to the Congress describing the funds needed for existing Federal programs which the Chairman deems necessary for the successful implementation of approved plans.

#### EDUCATIONAL FINANCIAL ASSISTANCE

SEC. 108. (a) Each community that files a plan under this Act may also file an application with the Chairman for financial assistance under subsection (b) of this section. The local education agency which administers the schools of that community may file an application for financial assistance under subsection (c) of this subsection with the Commissioner through the appropriate State educational agency.

(b) Upon application meeting such standards as the Chairman may establish, the Chairman shall grant to each community an amount not to exceed \$150,000 to reimburse such community for the expense of developing a plan meeting the requirements of this Act.

(c) (i) The Commissioner of Education shall pay to the local educational agency for each community in which moderate and lower income housing has been constructed pursuant to this title, a sum to be computed by him in consultation with the State educational agency and the local educational agency, in the following manner:

(A) He shall first determine the number of children living in moderate and lower income housing constructed pursuant to this Act for whom the community provided free public education during the fiscal year for which the computation is being made.

(B) He shall next determine the contribution derived exclusively from local sources which the local educational agency made for the cost of educating the community's school age population during the second fiscal year preceding the year for which he is making the determination.

(C) He shall then divide that aggregate expenditure by the aggregate number of children in average daily attendance in the public elementary and secondary schools of such agency during such second preceding fiscal year.

(D) He shall multiply the figure determined in subparagraph (A) by the figure determined in subparagraph (C) and divide by two.

(2) Whenever a local educational agency does not make a contribution derived from local sources or whenever the local contribution is below the national average per child contribution, the national average per child contribution for the second preceding fiscal year will be deemed to be the figure in subparagraph (C) for the purposes of the determination made under this subsection.

(3) Whenever the Commission determines that—

(A) a local educational agency has made preparations to provide during a fiscal year free public education for a certain number of children to whom subsection (a) (A) of this section applies;

(B) such preparations were reasonable in the light of the information available to such agency at the time such preparations were made; and

(C) such number has been substantially reduced by reason of a decrease in or cessation of activities at the Government facility, or by reason of a failure of any of such activities to occur.

the amount to which such agency is otherwise entitled under this section for such year shall be increased to the amount to which, in the judgment of the Commissioner, such agency would have been entitled but for such decrease in or cessation of Federal activities or the failure of such activities to occur, minus any reduction in current expenditures for such year which the Commissioner determines that such agency has effected, or reasonably should have effected, by reason of such decrease in or cessation of activities or the failure of such activities to occur.

(4) (A) No local educational agency shall be entitled to any payment under this subsection for any fiscal year except upon application therefor, submitted through the State educational agency, and filed in accordance with regulations of the Commissioner. Each such application shall provide adequate assurance that the local educational agency will submit such reports as the Commissioner may reasonably require to determine the amount to which such agency is entitled under this subsection.

(B) The Commissioner shall from time to time pay to each local educational agency, in advance or otherwise, the amount which such agency is entitled to receive under this subsection. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

(C) (i) The amount which a local educational agency in a State is otherwise entitled to receive under this subsection for any fiscal year shall be reduced in the same proportion (if any) that the State has reduced for that year its aggregate expenditures (from non-Federal sources) per pupil for current expenditure purposes for free public education (as determined pursuant to regulations of the Commissioner) below the level of such expenditures per pupil in the second preceding fiscal year. The Commissioner may waive or reduce this reduction whenever in his judgment exceptional circumstances exist which would make its application inequitable and would defeat the purpose of this subsection.

(ii) No payments may be made during any fiscal year under this subsection to any local educational agency in any State which has taken into consideration payments under this subsection in determining eligibility of any local educational agency in that State for State aid (pursuant to regulations of the Commissioner), or the amount of that aid, with respect to free public education during that year or the preceding fiscal year, or which makes such aid available to local educational agencies in such a manner as to result in less State aid to any local educational agency which is eligible for payments under this subsection than such local educational agency would receive if it were not so eligible.

(iii) No payments may be made under this subsection unless the Commissioner determines that the local educational agency is making a reasonable tax effort and is exer-

cising due diligence in availing itself of State and other financial assistance.

(d) (1) Whenever the increase in a community's school-age population brought about by the construction of housing pursuant to this title necessitates the construction of minimum school facilities to provide for public education for such children the Commissioner shall pay the local educational agency a sum to be computed in the following manner:

(A) He shall determine the number of children living in moderate and lower income housing constructed pursuant to this title for whom the community provides free public education and who will be without adequate school facilities unless new facilities are constructed.

(B) He shall determine the average per pupil cost of constructing minimum school facilities in the State in the manner set forth in section 102(c) of this Act.

(C) He shall multiply the figure determined in subparagraph (A) by the figure determined in subparagraph (B) and divide by two.

(2) The Commission shall not pay to the local educational agency any sum for the construction of minimum school facilities if the figure determined in (A) is twenty or less.

(3) (A) No payment may be made to any local educational agency under this subsection except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with regulations prescribed by him.

(B) Each application by a local educational agency shall set forth the project for the construction of school facilities for such agency with respect to which it is filed, and shall contain or be supported by—

(i) a description of the project and the site therefor, preliminary drawings of the school facilities to be constructed thereon, and such other information relating to the project as may reasonably be required by the Commissioner;

(ii) assurance that such agency has or will have title to the site, or the right to construct upon such site school facilities as specified in the application and to maintain such school facilities on such site for a period of not less than twenty years after the completion of the construction;

(iii) assurance that such agency has legal authority to undertake the construction of the project and to finance any non-Federal share of the cost thereof as proposed, and assurance that adequate funds to defray any such non-Federal share will be available when needed;

(iv) assurance that such agency will cause work on the project to be commenced within a reasonable time and prosecuted to completion with reasonable diligence;

(v) assurance that the rates of pay for laborers and mechanics engaged in the construction will be not less than the prevailing local wage rates for similar work as determined in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5);

(vi) assurance that the school facilities of such agency will be available to the children for whose education contributions are provided in this subsection on the same terms, in accordance with the laws of the State in which the school district of such agency is situated, as they are available to other children in such school district; and

(vii) assurance that such agency will from time to time prior to the completion of the project submit such reports relating to the project as the Commissioner may reasonably require.

(4) (A) Upon approving the application of any local educational agency under sub-

section (d) (3) of this act the Commissioner shall pay to such agency an amount equal to 10 per centum of the Federal share of the cost of the project. After final drawings and specifications have been approved by the Commissioner and the construction contract has been entered into, the Commissioner shall, in accordance with regulations prescribed by him, and at such times and in such installments as may be reasonable, pay to such agency the remainder of the cost of the project which such agency is entitled to receive under this subsection.

(5) Whenever the Commissioner, after reasonable notice and opportunity for hearing to a local educational agency, finds

(A) that there is a substantial failure to comply with the drawings and specifications for the projects,

(B) that any funds paid to a local educational agency under this subsection have been diverted from the purposes for which paid, or

(C) that any assurance given in the application is not being or cannot be carried out,

the Commissioner may forthwith notify such agency that no further payment will be made under this chapter with respect to such agency until there is no longer any failure to comply or the diversion or default has been corrected, or, if compliance or correction is impossible, until such agency repays or arranges for the repayment of Federal moneys which have been directed or improperly expended.

(e) (1) In carrying out subsections (c) and (d) of this section, the Commissioner may make such regulations as he deems necessary.

(2) The Commissioner may delegate to any officer or employee of the Office of Education any of his functions under subsections (c) and (d) of this section, except the making of regulations. In carrying out his functions under subsections (c) and (d), the Commissioner may also utilize the facilities and services of any other Federal department or agency and may delegate the performance of any of his functions except the making of regulations, to any officer or employee of any other Federal department or agency.

#### APPROPRIATIONS

SEC. 109 (a) For the fiscal year beginning October 1, 1975 and for the four fiscal years thereafter there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(b) Funds appropriated shall remain available for obligation for one fiscal year beyond that for which they are appropriated.

### THE CARVER FEDERAL SAVINGS & LOAN ASSOCIATION MAKES BLACK HISTORY

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. RANGEL. Mr. Speaker, the February 22 edition of the Amsterdam News carried an article describing certain activities of the Carver Federal Savings & Loan Association. The citizens of New York City, as well as other citizens throughout the country, recognize Carver as a truly outstanding organization that has made countless contributions to the black community. I am confident that my colleagues in the House of Rep-

resentatives will be interested in the work of the Carver Federal Savings & Loan Association, and I, therefore, include in the CONGRESSIONAL RECORD the full text of the article from the Amsterdam News:

#### CARVER FEDERAL MAKING ITS OWN BLACK HISTORY

"Black History is nothing new at Carver, we've been making it for over twenty five years!" said Carver President Richard T. Greene, as he announced Carver's plans to open a new branch office in the Crown Heights section of Brooklyn.

In a later interview, Mr. Greene explained how Carver went about creating its own history, and maybe more important, what Carver's history making growth means to the Black communities Carver serves.

"First of all," said Mr. Greene, "Carver made history when it became chartered as a Savings and Loan Association over twenty five years ago. Very few people outside of the Black community took the fledgling financial institution that Carver was at that time very seriously. Even fewer people expected Carver to grow into anything more than a 'We've got one, too' token institution."

#### BIG MOVE

But, according to Mr. Greene, a short few years later Carver moved out of the storefront office that had been its home since its humble beginnings, and into a brand new building of its own, located in the very heart of New York's Black community: 125th Street.

"That move," said Mr. Greene, "Was due primarily to the foresight and good judgment of Carver's founders, and the support of the Black community."

But Carver was not stopping there. Carver expanded into new areas: Brooklyn's Bedford Stuyvesant, and Manhattan's Chelsea. "That expansion was more than just growth for Carver," said Mr. Greene. "It marked the beginning of Carver's leadership role in the Black business community, and firmly positioned Carver as the largest Black-owned and managed banking institution in the United States!"

"Now, Mr. Greene continued, "Carver is making history again through expansion and growth. You might say," he added, "That as far as Black History goes, Carver's been making it, and promoting it since we opened our doors to the public twenty five years ago."

#### CARVER CALENDARS

Mr. Greene then went on to explain exactly how Carver goes about promoting Black History. "Twenty years ago, our belief in and support of Black pride and awareness was manifested when we at Carver printed and distributed our first Black History Calendars.

"Since then," he added, "they've become an institution at Carver; one which we take so seriously, that we still insist upon producing our own Calendars, rather than purchasing them ready-made from some printer."

"Our calendars are distributed free of charge at all Carver offices," he went on, "and I might add, that the compliments and community support we have received as a result of them has made their production well worth the cost and effort. They serve to encourage Black pride and self awareness as they educate Black people to their history. And Carver, as a Federal Savings and Loan Association—founded in and for the Black community—can do little but benefit from that education."

#### EFFECT ON COMMUNITIES

When Greene was asked to describe Carver's effect on the communities, he responded with one word: "Positive!"

"You see," he elaborated, "as a Savings and Loan Association, Carver encourages thrift, and thrift is the first step toward remedying many of the ills that afflict the Black community. Everyone knows that in a capitalistic society money means power, and with that power you can bring about change."

"You might say that one of Carver's reasons for existence is to provide an economic power base for change within the communities it serves. And," he continued, "we do this in a very interesting way."

"First of all, we are dedicated to the communities we serve in a way that very few other financial institutions can be: we are Black owned and managed. The money that comes into Carver gets re-distributed back into the community. It gets re-distributed in the form of home mortgage loans; home improvement loans; and education loans. These loans to people who live in the community that supports Carver bring about immediate positive changes in the form of new and improved housing and education. These are changes for the good of the community."

According to Greene, the people who live in the communities Carver serves benefit in other positive ways too. Carver provides valuable jobs and training in highly marketable skills. Carver also sponsors a wide ranging list of community oriented programs like Little League Baseball teams, scholarship funds, and educational lecture programs. Carver works closely with community action groups and churches. And probably the best thing about all of these activities, besides their being free, is their effectiveness.

#### CARVER'S BUSINESS STYLE

Greene then went on to explain how Carver's commitment to the communities it serves goes way beyond Calendars and community oriented programs. Said Mr. Greene:

"We try to bring first class service to the people of the communities we serve. That entails knowing the nature of the problems they face on a day to day basis, then designing our services to suit their needs."

"For instance, for the past few years jobs have been getting harder and harder to find for many Black people."

"They, in many cases, had to take what they could get. This meant that many of our savers had to work at night, on weekends; whatever the job called for. In order to accommodate the needs of these people, Carver redesigned its banking hours."

"We opened sidewalk windows, which remained open long after other banks had closed. We instituted Saturday banking hours, for those people who just couldn't get to us during the week. Those two innovations, coupled with our free postage, "Save by mail" program allowed people working day jobs, night jobs, or two jobs to take care of their banking needs at Carver."

#### COUNSELING

"We also provide free counselling on money matters," Mr. Greene went on. Many people, lacking the necessary expertise to be able to make their own decisions as to the proper savings plan, or how to set up a mortgage, or even how to open a trust or savings account for their children, come to us seeking advice. We always try to help them, even if they aren't customers, because they represent potential customers."

Asked how one goes about supporting Carver in its work? Greene said:

"Simple, all anyone need do to support Carver is open a Carver Savings Account. After all," he added smiling, "It's in their interest!"



ADMINISTRATION'S '76 BUDGET  
PUNISHES THE POOR

## HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. HAWKINS. Mr. Speaker, within recent weeks we have seen the administration exhort the Congress and the Nation, to provide great sums of money to meet the humanitarian needs of the war refugees and war orphans of South Vietnam. Members of the administration have even gone so far as to suggest that if the Congress did not answer these needs with millions of American dollars, then the Congress would be to blame for the tragedy that is occurring in South Vietnam.

The administration exhibited a fine compassion for the victims of the long Vietnam war.

I am hopeful that the administration will show the same compassion for the American victims of poverty and despair, by withdrawing in their 1976 budget all the budget cuts they project making in programs designed to serve the poor and disadvantaged.

One of the best evaluations I have read on the President's 1976 budget slashes appeared in the March 1975, Washington Newsletter of the Friends Committee on National Legislation.

I am presenting the Friends' article for my colleagues review so that they can more intelligently decide how best to meet the needs of the poor in 1976:

## TOUGH SLEDDING FOR DOMESTIC PROGRAMS

The Administration proposes no new domestic spending programs except for energy. In addition, a number of existing programs are slated for cuts.

## PASSING THE BUCK ON HEALTH

While total federal health spending requests are up slightly because of automatic increases in obligations to Medicare and Medicaid, deep cuts have been made in certain health agency programs. Budget authority requests for FY76 are at least 20% lower than appropriations for FY75 for community health centers, family planning, maternal and child health, migrant health, immunization and venereal disease control, and lead-based paint and rat control programs. State or local governments must make up for the loss, or else many programs will be cut.

To limit the growth of the Medicaid program, which is a form of public assistance, Congress is being asked to eliminate coverage of nonemergency dental services for adults and to reduce the federal matching share from 50% to 40% (raising the burden on states by 10%). These and other redefinitions of coverage will trim the growth of Medicaid in FY75 by \$217 million and in FY76 by \$939 million.

The administration also is proposing to require elderly and disabled persons covered by Medicare to pay a larger share of hospitalization expenses. The plan would increase costs to Medicare recipients by \$255 million in FY75 and \$1.3 billion in FY76.

All proposed reductions in federal medical relief for the poor, the elderly and the disabled must win approval from Congress. Major objections are expected from states, which will need to play a larger role in medical relief.

Charles Edwards, M.D., who has just departed as HEW's Assistant Secretary of Health, protested recently. "You can't cut service programs at a time like this. Proposing to shift additional health cost burdens to the states during our current economic climate immediately translates into letting the disadvantaged carry the fight against recession."

## DOUBLE BLOW TO KIDS

The FY76 budget proposes several blows to programs dealing with domestic hunger. In the area of child nutrition, for example, block grants to states would replace categorical programs, including school lunch and breakfast, special milk, day care, summer, and supplemental feeding programs. Thus, states must establish their own child nutrition programs. Some may choose to do so; others may not. Secondly, total federal budget authority for child nutrition under block grants will be \$700 million less in FY76 than under categorical grants in FY75.

One USDA budget official admits that these cuts are hard to track down, since "nutrition budgets are only for economists and accountants to understand." Yet states understand that reduced federal funding under block grants will shift the nutrition burden to them. One state official estimates that in one program the changes could lead to a 40% reduction in participation in federally assisted school lunches, and "could force many schools to back out of the program completely."

Sen. McGovern, SD, chairman of the Senate Select Committee on Nutrition and Human Needs, says: "I am sure Congress will not allow 30 years of progress in the health and welfare of our children to be destroyed because of misguided values."

## FOR NATIVE AMERICANS

The total budget authority for the Bureau of Indian Affairs is decreased by \$84,534 despite inflation. Under HEW, Indian Health is increased by .06% and Indian Education is increased by .05% for FY76. A positive note is the addition of Indian Action Teams. The budget request for IAT is \$15 million, which would help to stimulate economic development, encourage all-Indian corporations, provide specialized training and create more jobs in Indian communities. Ideally, this program will aid economic growth and therefore self-determination.

## FOOD STAMP FIGHT

The Ford Administration is waging a general assault on food stamps. Congress has decisively repelled the first wave of blocking an administrative order which would have raised the cost of food stamps for recipients by an estimated total of \$650 million this year. The vote in the House was 374 to 38, February 4; in the Senate, 76 to 8, February 5.

Further, President Ford would impose a 5% cost-of-living ceiling on food stamp benefits in this inflationary period. These and other measures, if accepted by Congress, would have the net effect of reducing budget authority for the food stamp program by \$755 million in FY76.

## BUDGET CHISELS WELFARE

The FY76 budget calls for a net decrease of \$90 million in federal payments to public assistance (welfare), despite an expected increase in caseloads of almost 246,000 persons, resulting from the current economic recession. However, budget authority for federal aid to families with dependent children (AFDC) will decrease by \$124 million, since the federal matching share to AFDC programs in 12 low-paying states will be reduced and income qualifications for participants in all states will be raised.

The Administration is expected to propose legislation to reduce the share of federal con-

tributions to social service programs administered by states benefiting low-income families and adults by an additional \$448 million in FY76 (from 75% to 65% in FY76 to 50% in FY77). At the same time, budget authority for the work incentives (WIN) program for AFDC recipients will be increased by \$110 million, even though high rates of unemployment will present a growing obstacle to the success of WIN job training and placement services. (Last year, fewer than 25% of AFDC recipients registered with WIN were actually placed in jobs.)

Losses in federal support for welfare for FY75 and FY76 are expected to force states to reduce benefits under many programs. The people most severely affected will be low income single parents and children.

## BOOSTS FOR PRISONS, FBI

In the area of criminal justice, the Ford budget emphasizes punishment over prevention. Budget authority for construction of new federal prisons would rise by almost 38%, from \$25.9 million in FY75 to \$35.8 million in FY76. Most of this increase would speed construction of a highly controversial behavioral research center in Butner, NC, a new adult prison in the northeast region, and two new youth prisons in the southeast and west. However, no funds have been requested for FY76 to implement community crime prevention programs authorized under the Juvenile Justice and Delinquency Prevention Act of 1974. This Act is meaningless without funds.

At the same time, President Ford is requesting a \$25 million increase in budget authority for the FBI, from \$440.7 million in FY75 to \$465.8 million in FY76. Yet budget authority for the new Legal Services Corporation to help indigent defendants would remain at the FY75 level of \$71.5 million.

Budget authority requests have been cut by \$110.8 million (from \$880.6 to \$769.8 million) for the Law Enforcement Assistance Administration (LEAA), which has been growing rapidly in recent years.

## PUBLIC SERVICE JOBS DOWNGRADED

The Ford FY76 budget states a clear preference for paying unemployment compensation to those out of work, rather than providing public service jobs. Less than \$4 billion will be spent on jobs and the administration of job programs. But \$18.2 billion is slated for unemployment relief. Billions more will be lost because income and payroll taxes will not be collected from the unemployed.

The Congressional Joint Economic Committee has estimated that if the unemployment rate for FY76 were 4.5% instead of the projected 8.5%, there would be a budget surplus of a billion dollars rather than a minimum \$52 billion deficit.

The Administration is hoping that recovery will take place rapidly, so tax receipts will increase and unemployment funds, food stamps and welfare costs will decrease. Also it does not want to become committed to long-term public service programs.

## WHY BIG CUTS IN FEDERAL PROGRAMS?

The HEW FY76 Budget Report says federal programs are being cut to foster "greater local responsibility and accountability."

President Ford said on January 22 in a speech to a Washington business group, "More than a generation ago a trend was set in motion to advocate massive federal spending as a sure way to social progress. This massive spending took the form of income redistribution programs such as food stamps, social security, federal retirement benefits and so forth. I think we have to turn this trend around. To the extent that I possibly can, I intend to do so."

In his budget message for 1976 he argues, "Were the growth of domestic assistance programs to continue for the next two decades

at the same rates as in the past 20 years, total government spending would grow to more than half of our national output. We cannot permit this to occur. . . . We must begin to limit the rate of growth of our budgetary commitments in the domestic assistance area to sustainable levels." (emphasis added).

#### A REPORT ON THE PANAMA CANAL ZONE

### HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. RINALDO. Mr. Speaker, I wish to take this opportunity to report to my colleagues in the Congress on my recent factfinding mission to the Panama Canal Zone.

As a new member of the Panama Canal Subcommittee, I approached my mission with an open mind. I was willing to learn and to listen to all sides. These included U.S. Ambassador William Jordan; U.S. Embassy officials; Gov. Harold R. Parfitt; Demetrio B. Lakas, President of the Republic of Panama; U.S. military officials; numerous civic councils and labor representatives. In short, our 4 days of talks and inspections of facilities in the Canal Zone and Republic of Panama was an intensified and comprehensive study of the people, the geography, the strategic importance, the economics and the political and social ramifications of present and future U.S. and Panamanian relations as they pertain to the Panama Canal and international commerce.

The factfinding trip to Panama proved the wisdom of firsthand experience in assessing U.S. policy decisions and their direct effects on the people involved.

Mr. Speaker, I am shocked at the extent of our official blundering in Panama. The State Department policy initiatives in Panama have misled the Panamanian Government into believing that our Government and this Congress can be persuaded through negotiations to surrender our sovereign control over the Panama Canal Zone to Panamanian authorities on some kind of nebulous partnership.

Before I go into the present situation, however, I wish to review some recent history, especially the student riots that broke out in Panama in January, 1964. The riots were part of a general wave of Latin American unrest inspired by Communists and pro-Castro student groups throughout Latin America.

Panama has always been as vulnerable to new political revolution stirrings in Latin America as Cuba is to the Trade Winds. Panama picks up every fresh revolutionary breeze. Indeed, it has long been identified by Latin American scholars as the Land of Endemic Revolution, endless intrigue and governmental instability. There have been 59 changes in government in Panama in 70 years.

So our State Department could hardly have been surprised when leftist stu-

dent brigades began raising the Panamanian flag over U.S. territory in 1964 and deliberately provoked a wave of anti-American violence. It was part of the revolutionary fever of the times in Latin America.

In order to wet down the flames of Communist and Castro inspired revolution in that part of the hemisphere, a Joint Statement of Principles was laid down by President Johnson. It might be noted here that the Johnson administration had its hands full in Vietnam, and we had only recently experienced the ill-fated U.S. attempts at the Bay of Pigs to free Cuba from Castro domination. The United States was in no mood to have another conflagration so near to our doorstep.

It is my belief from conversations and studies that the policy at that period was designed to buy time in order to cool down passions and to avoid bloodshed in Panama. Nevertheless, the Johnson administration made the serious mistake of going too far in a Joint Statement of Principles. What it meant, in effect, was that the United States was prepared to seriously consider a new treaty to replace the Treaty of 1903 which gave to the United States in perpetuity the use, occupation and control of the Canal Zone.

If sovereignty was ever transferred to the Republic of Panama, the United States would become only a leaseholder, even though it has an agreement to maintain, operate, and defend the canal. It would be somewhat like the status of forces agreements that we have with other governments in places like Greece, the Azores and elsewhere. Need I point out that many of these bases were denied to U.S. military cargo airlift during the last Mideast crisis.

Furthermore, in Portugal, a leftwing Communist dominated government is moving to limit our access to the Azores and to further curb U.S. military capability in the Mediterranean.

The point is that American sovereignty over the Panama Canal Zone is infinitely better for American interests and for the protection of international commerce through the Panama Canal than any other kind of negotiated arrangement.

Nevertheless, in order to calm down Panamanian rioters, the Johnson administration agreed to renegotiate this existing treaty that had worked so effectively for more than half a century in building peaceful commerce in Central America. Mr. Speaker, need I point out that this was of major importance to all of Latin America and not just to the United States. It meant that nations everywhere could rely on unimpeded access through the canal and that it would be maintained at peak efficiency.

In its most simple terms, this provides that hemispheric trade and prosperity are safeguarded by free access to the canal, unhindered by economic retaliation, political intimidation or tonnage rates that would amount to economic blackmail.

The U.S. policy in the Canal Zone, as

judged over the course of the last 72 years, has been eminently fair to all nations that engage in trade with Latin America and need the canal to reach the Pacific and the Orient. We have a record to be proud of in building and operating the Panama Canal.

But, as a result of the panicky decision during the Johnson administration, the Government of Panama believed that we were ready to replace the 1903 treaty with a less positive and still murky new agreement to share with Panama in the canal's defense as well as turn over American property to Panama.

The history of the Panama Canal shows that the transfer of the territory to the United States was accomplished by the treaty, a fact confirmed by the U.S. Supreme Court. We paid the highest price ever negotiated for the jungle and swamps where the French had failed to build a canal. It was overrun with malaria, other diseases, snakes and all sorts of tropical vegetation and hazards.

The United States paid Panama \$10 million as the price of compensation, plus \$250,000 annually, the latter representing the annual fee formerly paid to Colombia by the Panama Railroad, a privately owned venture bought out by the United States.

In addition, private claims were extinguished by a United States-Panama Joint Commission which purchased the titles from private owners at fair market value under eminent domain. In all, the United States has invested nearly \$163.7 million in acquiring the Canal Zone, excluding the \$6 billion spent for construction and maintenance.

Reviewing the history of those negotiations, you become acutely aware of the divisions in America in 1900 by taking such an enormous risk. The Congress back then decided that the United States should only do so with the absolutely clear understanding by Panama and the other nations of the world that we would retain control over the zone so long as the Panama Canal was in existence. Well, Mr. Speaker, we have not come to Armageddon yet; the Panama Canal still stands, open to navigation by vessels from all over the world; so, also, does the 1903 treaty stand.

We have seen what happens when we turn over responsibility for the operation of a vital international waterway to a politically unstable nation. Several years ago the British, who had poured their blood and resources into building the Suez Canal, turned over the Suez Canal to Egypt. The Suez Canal has been closed for 7 years. Only now is the Suez being cleared of its last sunken ships, mines, and silt.

The cost of closing the Suez has been enormous in terms of world trade. The longer route around the African continent has added untold millions to the cost of foreign commerce. It should be mentioned that the wrecking of huge supertankers in the swirling oceans around the tip of Africa has poured millions of gallons of oil into ocean currents, threatening our marine life elsewhere.



The lesson is that the world cannot count on the good intentions of unstable, revolutionary governments to control vital waterways like the Suez and the Panama Canals. Responsibility demands that the United States retain complete control over the Panama Canal.

I am appalled, Mr. Speaker, that our State Department experts have not recognized this fact. But on February 7, 1974, U.S. Secretary of State Henry A. Kissinger initiated a joint statement of principles for negotiations on a new Panama Canal Treaty. It is this commitment that we are haunted by in Panama. Dr. Kissinger spoke of a new canal treaty in the context of worldwide international developments. It was a gesture toward a new Latin American policy of conciliation and trust.

Giving up our sovereignty in the Canal Zone would be like returning Louisiana to France, Alaska to the Soviet Union and California to Spain. Had the United States not poured its resources, engineering genius, brains and brawn into building the canal no one would have the slightest interest in the isthmus. Why should we surrender it in order to build a rickety political bridge to some of the revolutionary forces in Latin America?

An even more fundamental question is whether the new status of the canal would benefit the hemisphere economically. I very much doubt that it would. Tolls on the canal would probably go up, discouraging marginal shippers from using the canal if at all possible.

American allies, like Japan, which depend on the canal for oil and trade with Europe, would have second thoughts about America's determination to stand by its own vital interests. Japan would probably look into new trading and political relationships in China and Asia rather than toward this country.

Furthermore, a good deal of U.S. oil and coal supplies must pass through the Panama Canal. By giving up sovereignty we would make ourselves vulnerable to possible interference in the passage of our ships through the canal.

Mr. Speaker, I should also point out that our naval power might be limited by a giveaway of the land in the Canal Zone, since it would make it easier for a saboteur to enter to damage or destroy the locks, thus impeding entry of U.S. naval vessels.

I believe that those State Department officials who are negotiating a new treaty have noble intentions. They see a rising tide of third world independence and national pride, and U.S. domination of the Panama Canal Zone as a vestige of the past.

Well, I believe, Mr. Speaker, that not all of the past political and economic leadership by the United States has been wrong; nor was it bad for Latin America in many respects.

The treaty with Panama has brought more prosperity to that nation than any other place in Central America. The United States has given more to Panama than it has taken out of the Canal Zone; indeed, Panama is receiving mil-

lions annually while the U.S. share of the tolls is all plowed back in to maintaining the Canal from landslides, silt, and other conditions.

The United States must continue to carry out its leadership in the world by insuring that world shipping shall have unimpeded access through the Isthmus of Panama through a route that the American people built with their resources, genius, tenacity and courage.

Finally, Mr. Speaker, during the hearings that the subcommittee held in Panama, Mr. Douglas C. Schmidt, president of the Pacific Council, which represents American civilians in the Canal Zone gave excellent testimony to our delegation. His statement summarized the current attitudes of all U.S. Civic Councils in Panama. Therefore, it would be appropriate to insert the testimony at this point in the RECORD:

PACIFIC CIVIC COUNCIL,

Balboa Hgts., C.Z., April 3, 1975.

FORMAL STATEMENT TO THE PANAMA CANAL SUB-COMMITTEE, UNITED STATES HOUSE OF REPRESENTATIVES

We welcome this opportunity to address you today as representatives of Panama Canal Company/Canal Zone Government United States citizen employees in the Pacific sector of the Canal Zone. These employees are not part of the foreign service and therefore not represented by the State Department. They are not Department of Defense employees and are therefore not the concern of that Department. Thus, the Panama Canal Company/Government employees have always looked to Congress to ensure fair treatment.

Your presence here today is evidence that the Congress of the United States is interested in the views of this group of people; individuals who have invested portions of their lives toward maintaining the operating efficiency of the Panama Canal for world commerce; therefore as representatives of these concerned citizens of the United States, the Pacific Civic Council would like to go on record with the following views:

We are more familiar with the workings of the Canal operation than other persons in the world because we live each day with the Canal. We believe that our efforts to keep the Canal operating smoothly and without interruption is a form of patriotism, because this contributes to the image of the United States as a nation known the world over for its reliability, dependability, skill and thoroughness. We feel strongly that the United States should continue to operate the Canal and not relinquish these duties to another nation for purely political reasons. Our nation has performed efficiently and creditably in this area for the history of the Canal and has the technology and expertise to continue to do so. As we present our views, we are aware that we have often been represented to the world at large as "colonialists" or "grave-trainers" fighting to preserve the best of all possible worlds rather than as conscientious employees doing the best possible job under sometimes difficult circumstances.

Journalists from the various media visit the Canal Zone for comparatively short stays which permit only a superficial view at best of conditions in the Zone and in Panama. These "experts" then return to the United States and produce newspaper stories, radio and TV programs that purport to give an accurate picture of the Canal Zone and its residents. When Panama Canal employees are quoted directly in these journalistic efforts, the quotations are placed in a context to support the "colonialist" stereotype. There

have been other sources of one-sided, detrimental views of the Canal Zone including the Government of Panama, local Panamanian newspapers, State Department spokesmen, Panamanian residents of the United States and special groups visiting the United States for propaganda purposes.

Within the past year, a segment of the CBS program "Sixty Minutes" portrayed the Canal Zone as a paradise for military assignments and seemed to leave the impression that everyone in the Canal Zone, Panama Canal Company/Canal Zone Government employees included, enjoy life around swimming pools in a country club atmosphere. So far as we can see, the Public Information Office of the Company is not permitted to provide factual balancing information to answer such distortions in the United States communication media.

We are concerned about the apparent determination of the State Department to accede to Panamanian demands, with or without the concurrence of Congress. Employees have a severe lack of information about treaty negotiations, but we cannot help but relate these treaty talks to setbacks in South Vietnam and Cambodia, and of the possible loss of military bases in the Azores. The loss of the United States sovereignty in the Canal Zone would be part of what appears to many to be a world-wide pattern.

In a word, "sovereignty" is our key concern, not only because we are employees of the Panama Canal Company/Canal Zone Government, but because we are United States citizens with the same patriotic interests as those Americans living in the United States. We believe the negotiators for the United States in the treaty talks must give serious consideration to international repercussions should a change of sovereignty in the Canal Zone occur. If the draft treaty which Congress will consider does allow for such a change-over, we hope you will give this all-important issue much thought before approving such an action.

We urge the Congress of the United States not to be intimidated by threats of violence by Panama as retaliation for an unfavorable treaty or for lack of ratification by the United States Congress. Threats should never cause the United States to ratify a treaty not in the best interests of the United States, the Canal, or its employees. Rather the United States should adopt a position of strength, courteous but firm, and pursue a course of action that takes into consideration long-range effects on the Canal operation, rather than current political expediency.

Retention of United States sovereignty in the Canal Zone will allow the United States citizen to continue to live and work here under the security of the United States system of justice which guarantees the liberties we hold very dear as part of our American heritage. If you wonder why we would fear to live under a Panamanian system of justice, as it now exists, we urge you to hold closed door hearings in order to obtain first hand testimony from United States citizens who have had, among other matters, personal encounters with harassment by the Guardia Nacional, including arrest and imprisonment. In such hearings, you will learn for yourself why even citizens of the Republic of Panama live in fear of their own police. Many rights which we take for granted, such as the right of *habeas corpus*, the right of legal counsel, the right to a speedy and fair trial, and other precious rights listed in our Bill of Rights, are in no way guaranteed under the Panamanian system of justice as it now exists.

Because Congress will be called upon to ratify a new canal treaty, we strongly urge members of Congress to be aware of negotiations so that they will not be caught offguard

and forced to make a hasty decision without adequate information and study of the subject. Executive agreements made by the President of the United States have been used to make various changes in the Canal Zone. One very visible example is the appearance of two flags, United States and Panamanian, where only one flag once flew. The recent action of the Canal Zone Administration which allows Panama to use France Field accentuates our fears that, with or without a treaty, the State Department will seek to accomplish its goal of ceding the Canal to Panama.

At a recent Civic Council executive session with the Governor, a State Department representative was asked by a Pacific Civic Councilman if, in the absence of a treaty, the Administration would seek to accomplish its goals by other means. His reply was that nothing would be done without Congressional ratification of a new treaty. But, when legislation regarding France Field was held up by the Congress, the same objective was attained through the use of an obscure existing agreement dealing with furnishing sites for customs houses. It is of interest to note that in a recent news release, General Torrijos said "a part of the area could be put to use as a main street for businesses." We wonder, therefore, what assurances can be given to Company/Government employees that, even in the absence of a new treaty, functions essential to the U.S. citizen (e.g., police, schools, customs, health facilities) will not be dissolved?

We, in 1975, can look back at the 1903 Treaty and agree that there is need for some change; but certain things should not be changed, chief of which is United States sovereignty in the Panama Canal Zone.

General Torrijos has said that three years after the ratification of a new treaty, the Canal Zone Government will disappear and its activities passed into Panamanian hands. In the event that certain groups of employees are to be phased out, we strongly urge you as Congressmen to press for a reasonable transition period; an amount of time that would allow most employees to finish their careers without a change of employers. The reported three-year transition period would impose real hardships on many families where the head of household is past the age when he can easily find another job in the United States. In addition, employees whose jobs have been abolished should be assured of transfer rights to suitable employment in the United States. Panama Canal Company/Canal Zone Government employees have faithfully met their employment commitments; therefore, they should be given all possible assistance in relocating elsewhere.

Believing that the future operation of the Panama Canal is of vital importance to the United States, and assuming the continued presence of a United States citizen work force for an indefinite period, we respectfully request that this Committee consider the following recommendations:

1. That unceasing effort be given to retaining United States sovereignty in the Canal Zone;

2. That the United States Government guarantee employees Civil Service retirement benefits, apart from treaty considerations.

3. That the Panama Canal Sub-Committee (and/or other committees of the House and Senate) meet with the United States Treaty Negotiators to determine the nature and extent of concessions being negotiated and that, to the degree possible, United States citizens in the Canal Zone be informed on matters vitally affecting their lives.

4. That the Panama Canal Sub-committee hold closed-door hearings and conduct an investigation to obtain specific testimony about problems encountered, including cases of harassment, in the Republic of Panama.

This will enable the Committee to better understand our overriding concern about a change in sovereignty the Canal Zone.

5. That the Canal Administration make every effort to advise its employees of all options and contingencies that might be available in the event an adverse situation develops that would be prejudicial to the best interests of the United States citizen employee; and that such information be made available at the earliest possible date.

6. That the Public Information Office of the Company be used to furnish factual balancing information to the United States press.

You, our Congressmen, are faced with a critical decision as you consider the strengths and weaknesses of a new Canal treaty with Panama. The decision you make, for or against ratification, will have widespread effects, not only on present employees, but on generations of Americans to come. We trust that your decision will not be based on pressures of political expediency but as the result of much considered thought, active debate, and vigorous investigations into all aspects of the situation.

We thank you for giving us this opportunity to contribute some of our own observations which we hope will be helpful as you consider the critical decision of ratification of a new Panama Canal treaty.

DOUGLAS C. SCHMIDT,  
President.

#### REPRESENTATIVE BEARD OF RHODE ISLAND SALUTES HIS SECRETARIES DURING NATIONAL SECRETARY WEEK

#### HON. EDWARD P. BEARD

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. BEARD of Rhode Island. Mr. Speaker, the occasion of National Secretaries Week of April 21 to 25, 1975 brought very forcefully to my mind the extraordinary work performed by the persons who are absolutely indispensable in the operation of any office, whether in business or in government. This tribute of mine will certainly reflect the feelings of every Member of this body.

Every one of the secretarial staff in my offices in Providence, R.I. and here in Washington is an ambassador for me and in no sense does typing and shorthand describe the job. It so happens that all nine of the secretaries who work for me are women: I am sure this tribute would apply equally to any of the male secretaries who might be upset by some emphasis on the distaff side.

My Providence office glows with the day-to-day radiance of Patricia Celletti, JoAnn Capobianco, Nancy St. Pierre, and Ann Mitchell. In Washington, the virtues of patience, kindness and calm consideration are displayed every day by Beverly Moss, Kathleen McKenna, Marilyn Pesaturo, Susan Alfiero, and Elaine Gavegnano. And all rank in my eyes as eminently qualified for a "Miss America" title.

As one Member of the 94th Congress, I salute these wonderful women without whose abilities and consummate skills the labors of this office would be grim indeed.

#### SEWARD, NEBR., BICENTENNIAL FEATURES WORLD'S LARGEST TIME CAPSULE

#### HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. THONE. Mr. Speaker, the enthusiasm and energy that communities all over the Nation are putting into celebration of America's Bicentennial is phenomenal. It is especially encouraging that localities in States that were not among the Original Thirteen Colonies are entering with great vim and vigor into observance of the 200th birthday of the United States.

The American Revolution Bicentennial is going to be observed in Seward, Nebr. with the "world's largest time capsule." The inside of this capsule will measure 20 feet by 8 feet by 6 feet. It will be made of reinforced concrete with walls 1 foot thick and will weigh about 34 tons.

The capsule is to be coated with plastic and tar paper and covered with 4 feet of earth to make certain it is free from moisture.

The capsule is going to be sealed on July 4, 1975. A 3-foot plug will be left at one end, so that additional Bicentennial items can be placed in it on July 4, 1976. The capsule is to be opened on July 4, 2025.

The largest item to be placed in the capsule will be a new 1975 automobile. Schools, churches, lodges, and civic organizations within 100 miles of Seward are being invited to place small objects in the unit to be sealed. Individuals in the same area are being invited to write letters to their children or grandchildren to be read in 50 years.

This capsule will give to the people living in Seward in 2025 a wonderful picture of what life was like in 1975. Mr. Speaker, I am proud to say that I plan to be on hand when Seward's capsule is sealed on July 4, 1975. I do not plan to be representing that district in Congress, however, when the huge receptacle is opened in 2025.

#### MARION HEIGHTS METHODIST CHURCH, CAMPBELL, OHIO, CELEBRATES 50TH ANNIVERSARY

#### HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. CARNEY. Mr. Speaker, on Sunday, May 18, 1975, the Marion Heights Methodist Church of Campbell, Ohio, will celebrate its 50th anniversary. The Marion Heights Methodist Church has had a beautiful and memorable history. Many of my old friends and neighbors helped to build this church. Although I will not be able to be present at the anniversary celebration, I know it will be a most joyful and inspirational service. My prayers and good wishes go to



Bishop Kearns, Reverend King, and all the members of Marion Heights Methodist Church who will take part in this important festival.

The Marion Heights United Methodist Church was formed by the union of the Coitsville and Wilson Avenue Methodist Episcopal Churches. The Coitsville Church land was a gift from the Isaac Powers family, deeded on November 18, 1839. Until the church was built, the people worshipped in homes and barns. This church, unfortunately, was destroyed by fire. A short time later, another church was erected in the same location.

This church was abandoned to unite with the Wilson Avenue Methodist Episcopal Church in the fall of 1919. The Wilson Avenue Church land was purchased from C. D. Hine on August 18, 1892, and was sold for \$300 to people for a dwelling house. Known as "The Little White Church on the Hill," its memory is held most dear by all who worshipped within its sanctuary.

As with the Coitsville Methodist Episcopal Church, the kindly, happy fellowship and words of inspiration received while worshipping within its walls will always remain as tender memories of "Dear Old Wilson Avenue Church," as it has often been called by many who made it their church home. However, membership and attendance began to decline, so it was sold in 1920 to the Black Jerusalem Baptist Church for \$13,500. It is still being used to this day.

After several meetings of the official boards of the two churches, it was found impractical to move the Wilson Avenue Church building. Consequently, the boards decided to meet between the former locations.

The McCartney School building, Campbell, Ohio, was procured as a temporary meeting place in which to worship and on December 14, 1919, under the pastorate of Reverend Cassidy, the forces of the two churches were united by electing a new official board. Members of the first official board were as follows: Mrs. W. H. Reed, auditor of church records; Seth Coutler, treasurer; William M. McCartney, benevolence treasurer; Mrs. Bessie M. Yost, recording secretary; music committee: Gertrude E. McCartney, J. D. Johnson, J. Richards, Warren Shively; finance committee: W. H. Reed, J. Johnston, John Reynallt, J. McCartney, and I. L. Small.

The heirs of the Joseph G. McCartney estate offered as a gift, the land on which to build a church, permitting the trustees to select any location they should desire. The offer was gladly accepted. Four lots on the corner of Woodlawn and Gladstone Streets in Campbell, Ohio, were selected, making it as centrally located as possible to all interested. The deed was granted on September 20, 1921.

Reverend Askue was the pastor for the next 3 years. During his pastorate the parsonage was built, and considerable planning was done for the new church.

In the fall of 1924, Rev. Bruce Walters was sent as pastor and through his own

abundant faith and untiring efforts, together with the cooperation of the people of Marion Heights and the aid of the Divine Leader, he succeeded in bringing to a happy climax the fond desires of Marion Heights people for a church building, dedicated to the worship of God. The contract was given to Martin, Orr, Martin of Columbus, Ohio. The cornerstone was laid on November 30, 1924, and the church was dedicated on May 17, 1925.

The church was named for the granddaughter of the Joseph McCartney's who gave the land for the building.

These are the highlights of the history of the churches that formed the Marion Heights Methodist Church and that were placed in the cornerstone of the church on November 30, 1924.

#### MINISTERS SERVING MARION HEIGHTS CHURCH

1920-1921 Rev. H. A. Cassidy.  
1921-1924 Rev. W. L. Askue.  
1924-1926 Rev. Bruce Walters.  
1926-1928 Rev. Leroy James.  
1928-1931 Rev. J. F. Stomn.  
1931-1933 Rev. John Hawkins, Rev. Dwight Jack, Rev. Detrick Cordes.  
1933-1935 Rev. W. L. Hodder.  
1935-1939 Rev. E. M. Hughart.  
1939-1944 Rev. F. A. Ashburn.  
1944-1946 Rev. Paul Uhlinger.  
1946-1947 Rev. R. A. Uphoff.  
1947-1949 Rev. B. T. Riley.  
1949-1952 Rev. L. Whiteman, Sr.  
1952-1954 Rev. Paul Frantz.  
1954-1963 Rev. David Boldt.  
1963-1967 Rev. John Obee.  
1967-1969 Rev. Able Napadona.  
1969-1975 (to present) Rev. Henry King.

For 50 years, the Marion Heights Methodist Church of Campbell, Ohio, has been a source of faith hope and love for its members. I would like to take this opportunity to wish my dear friends and former neighbors many more years of peace, joy and happiness in the service of the Lord.

#### RECOMPUTATION OF MILITARY RETIRED PAY

### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 28, 1975

Mr. LONG of Maryland. Mr. Speaker, I am most pleased to bring to the attention of my colleagues the views of Col. Donald C. Foote, legislative chairman, Maryland Retired Officers Association, on an issue of importance: recomputation of military retired pay. Colonel Foote and other members of the Reserve Officers Association shared their views with members of Maryland's congressional delegation at a meeting in Washington. Colonel Foote makes several interesting points with regard to current levels of active duty and retired military pay from a historical perspective.

The remarks follow:

#### RECOMPUTATION OF MILITARY RETIRED PAY

1. Background of recomputation;
- a. Federal Statutes until 1958 guaranteed

military retired pay based on current active duty rates, i.e., recomputed each time AD rates were changed.

b. System precipitously suspended in 1958 with no "saving clause" to protect the earned rights of those already in the system.

c. Career Compensation Act of 1963, PL 88-132 again increased AD pay but permanently changed the law so as to deny the benefits of that act and of future AD pay raises to retirees. It substituted a CPI (Consumer Price Index)—CLI (Cost of Living) formula less advantageous to retirees.

d. Initial saving to the government because of the change in the system was only 29 million in 1958.

2. Interim results to restore recomputation of retired pay:

Seventeen years of frustrated effort on the part of organizations (TROA, NAUS, Fleet Reserve—others) and many individuals to restore the pre-1958 pay plan (recomput). The Congress (Senate & House) at various times—in different years—passed bills to restore equity of pay, but not both Houses in the same year. Of late years, even with Presidential blessing 360 million dollars set aside in the Defense Budget—and riders attached to the Military Approp. Bills (1972-73-74)—by parliamentary maneuvering in the House Armed Services Committee the matter was deemed "non-germane" by the Conference Committee. What a travesty of justice adversely affecting so many dedicated servicemen (enlisted and commissioned), veterans of two and even three wars now retired. In summary the net result "no progress" toward a solution of the problem.

3. Specific statistical data of how the change from recomputation to CPI plan has affected the military retiree over the years:

a. Active duty pay increase (June 1, 1958 to Oct. 1, 1973): Total is 165.7%.

Retired pay increase, actual cumulative (June 1, 1958 to July 1, 1973): 68.3%.

Differential in favor of active duty military: 97.4%.

b. Below is cited two factual examples of the wide discrepancy and injustice involved in the pay of retirees of comparable grade and length of service:

E-7

(Enlisted man to M.Sgt., 20 years)

1958 retiree: Initial pay, \$175 per month. Pay updated, (9-30-74), \$312.

1974 retiree: Retiree initial pay (9-30-74), \$434.

Differential of \$122 or 39%.

O-5

(Lieutenant colonel, 20 years)

1958 retiree: Initial pay, \$373 per month. Pay updated (9-30-74), \$664.

1974 retiree: Retiree initial pay (9-30-74), \$945.

Differential of \$281 or 42%.

Note: Many other similar cases (different commissioned and enlisted grades) could be cited to show even a greater pay disparity among the older and more recent retirees.

c. Food stamps being issued to older retirees and lower grade enlisted men:

None other than Lt. Gen. John W. Carpenter, Pres., TROA, in a recent letter to the Sec. of Defense said, "... men trying to raise a family are spending some \$1.5 million each month in military commissaries. Sad, indeed, honorable members of this delegation that some of our military retirees are at welfare level. We plead again with you to help rectify this longstanding injustice to our military retirees.

#### CONCLUDING REMARKS

Should any of this very capable Md. Delegation—after 10 to 20 or more years of congressional service—retire and find your pay

categories for the same position and length of service radically different in the amount of retired pay. WHAT WOULD YOUR REACTION BE? Needless for this speaker to give an answer.

Another aspect for military retired pay (1958 to date) no one to our knowledge has considered (in defense or in the Congress): what the Government saved in 17 years, if the difference over what we actually received and what was justly our entitlement had the recomputation plan been operative. It would be in billions of dollars.

It would appear—as the hour grows late for many of the vets of two or more wars—appropriate that we plead again with each of you to actively support the present corrective legislation (H.R. 1167 and/or Sen. Hartke bill), or other similar legislative bill to partially rectify this injustice of 17 years. Actually H.R. 1167 and other similar legislative proposals cover only partial recomputation, i.e. to Jan. 1/72 in relation to the AD rate. Not only do we urge you to support H.R. 1167 (and Senate bill) but to utilize your combined power to insure that the Congress ac-

tually has an opportunity to vote on the appropriate House and Senate bills. Then, if necessary because of a Presidential veto, to override same. From past votes in both Houses of Congress on similar legislation the majority FOR was overwhelming.

In conclusion may we express the thanks of our Md. Ret. group and its ten chapters here represented for the current support of Mrs. Holt, Mr. Byron and Mrs. Spellman for introducing H.R. 515, 1639 & 4455—and again Mrs. Holt for co-sponsoring Bob Wilson's H.R. 1168.

## HOUSE OF REPRESENTATIVES—Tuesday, April 29, 1975

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore (Mr. McFALL).

### PRAYER

The Reverend Mr. Robert W. Thurston, pastor, the First Baptist Church, New London, N.H., offered the following prayer:

Eternal God, we thank You for the faith which sustains us, the hope which inspires us, and the light by which we daily walk.

Help us to correct our mistakes. Cause us to look within ourselves and to see there all that we condemn in others.

Give to every nation that which we seek for our own Nation—concern for the needs of everyone, sensitivity to moral issues, deliverance from cynicism and despair, strength to be free and to carry the burden of freedom, and readiness to accept responsibility, rather than to evade its consequence.

There was no objection.

Let us go through today's work with faithfulness, strong to do justly, to love mercy, and to walk humbly with You. Amen.

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,  
U.S. HOUSE OF REPRESENTATIVES,  
Washington, D.C., April 29, 1975.

I hereby designate the Honorable John J. McFall to act as Speaker pro tempore for today.

CARL ALBERT,  
Speaker of the House of Representatives.

### 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.

### REV. ROBERT THURSTON

(Mr. CLEVELAND asked and was given permission to revise and extend his remarks.)

Mr. CLEVELAND. Mr. Speaker, it is a distinct pleasure for me to welcome to this House my good friend, the Reverend Robert Thurston, and to also welcome his wife, Penny, and friends from our hometown in New London, N.H.

Bob has served as minister of the First Baptist Church of New London, N.H., since 1967. He has done so with great distinction. His friendship and preaching and prayers have brought comfort, inspiration, guidance, and solace to countless people who have been blessed by his ministry.

On a number of occasions he has brought his youth group here to Washington, which typifies his concern and interest in helping those of all ages and in so many ways. And speaking of help, it reminds me of the many times when I have listened to Bob Thurston and have thought—there are so many ways to help people—and this House has no corner on that market.

Following his graduation from Yale Divinity School, Bob served ministries in New York State and in Vermont where he was born. Since coming to New London, N.H., in 1967 he serves as a member and chairman, department of professional concerns, American Baptist Churches of New Hampshire; member, board of trustees, American Baptist Churches of New Hampshire; member, President's Advisory Council, Colby-Sawyer College, New London, N.H.

Reverend Thurston was selected to appear in the 1967 edition of "Who's Who in the East" and 1968 edition of "Outstanding Young Men of America."

### PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 6096, VIETNAM HUMANITARIAN ASSISTANCE AND EVACUATION ACT OF 1975

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 425 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

### H. Res. 425

Resolved, That immediately upon the adoption of this resolution, clause 2, rule XXVIII to the contrary notwithstanding, it shall be in order to consider the conference report on the bill (H.R. 6096) to authorize funds for humanitarian assistance and evacuation programs in Vietnam and to clarify restrictions on the availability of funds for the use of United States Armed Forces in Indochina, and for other purposes.

### CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. DELANEY. 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. 162]

Ambro	Hansen	Rhodes
Anderson, Ill.	Harsha	Rose
Blaggt	Heckler, Mass.	Rosenthal
Breaux	Hightower	Roussetot
Broomfield	Krueger	Russo
Brown, Calif.	McDade	Scheuer
Burke, Calif.	McKay	Shriver
Burton, Phillip	Macdonald	Stark
Cederberg	Mahon	Stephens
Chisholm	Matsunaga	Stokes
Clay	Michel	Udall
Conlan	Mills	Vanik
Conyers	Mollohan	Wiggins
Coughlin	Moss	Wilson, Bob
Crane	O'Hara	Wilson,
Dellums	O'Neill	Charles, Tex.
Diggs	Pike	Wright
Fascell	Pressler	Young, Fla.
Ford, Mich.	Price	
Gonzalez	Pritchard	

The SPEAKER pro tempore. On this rollcall 375 Members have recorded their presence by electronic device, a quorum.

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

### WITHDRAWAL OF HOUSE RESOLUTION 425, PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 6096, VIETNAM HUMANITARIAN ASSISTANCE AND EVACUATION ACT OF 1975

Mr. DELANEY. Mr. Speaker, I have just received a message from the Speaker,