HOUSE OF REPRESENTATIVES—*Monday, July 1, 1974*

The House met at 12 o'clock noon.

Rev. Thomas G. Mitchell, First United Methodist Church, Hollywood, Fla., offered the following prayer:

Almighty God, Creator and Ruler of the universe, to you we would express our thankfulness for our heritage. Pour down your lifegiving spirit of nobility and truth upon this land and its people of many traditions, many colors, divergent hopes and fears. May our faith be something that is not merely stamped upon our coins, but creatively expressed in our lives.

We pray that those assembled here may know Your will and have the faith and courage to follow it. Give a strength of purpose, a flexibility of mind, and a willingness to work toward a goal to enhance human dignity and self-respect. Bless our earnest will to help all races and people to travel, in friendship with us, along the road to justice, liberty, and lasting peace. 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.

REV. THOMAS G. MITCHELL

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

Mr. FREY. Mr. Speaker, the invocation was given today by my very good friend and fellow Floridian, Rev. Thomas G. Mitchell.

Reverend Mitchell is pastor of the First United Methodist Church of Hollywood and former minister of St. Paul's United Methodist Church in Melbourne.

Born and raised in Florida, Reverend Mitchell received his theological degree from Candler School of Theology at Emory University in Atlanta, Ga., and did postgraduate work at Columbia University in New York City and William and Mary College in Williamsburg, Va.

Before his recent move to Hollywood, Reverend Mitchell was very active in community work in my congressional district. He was the president of the South Brevard Ministerial Association and president of the Spaceport chapter of the Military Chaplain's Association. He was also on the board of directors of the United Way for Brevard County and a member of the Eau Gallie Rotary Club and the Community Services Council for Brevard County. Because of his interest in young people, he served as team chaplain for Eau Gallie High School.

Reverend Mitchell is also an active member on the State level of the United Methodist Church serving as the secretary for the Board of Ministry of the Florida Conference.

I thank Tom for accepting my invitation to be with us this morning and I am glad his wife, Barbara, and his daughter, Barbie, could be here today.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar.

The Clerk will call the first bill on the Consent Calendar.

RURAL DEVELOPMENT REPORTING REQUIREMENT

The Clerk called the bill (H.R. 14723) to amend the Agricultural Act of 1970 to change the date on which the President must report to Congress concerning Government assisted services to rural areas.

There being no objection, the Clerk read the bill as follows:

H.R. 14723

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 901(e) of title IX of the Agriculture Act of 1970 is amended by striking out "September 1" and inserting in lieu thereof "May 15".

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

PERISHABLE AGRICULTURAL COMMODITIES ACT AMENDMENT

The Clerk called the bill (H.R. 13264) to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone why there is a $2,000 limitation in the bill.

Mr. RONCALIO of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. I thank the gentleman for yielding.

The only information with which we are provided is that the legislation will provide the option of imposing a monetary penalty not to exceed $2,000 for violations of the provisions of the act, in lieu of a formal proceeding for the suspension or revocation of a license. That is the only information we have on this pending legislation.

Mr. GROSS. This does deal, in part, with large handlers of perishable products; does it not?

Mr. RONCALIO of Wyoming. That is right.

Mr. GROSS. I am wondering why the limitation. What is the rationale of the limitation, for the $2,000 penalty for failure to obey the law?

Mr. RONCALIO of Wyoming. I am not familiar with that rationale. The committee favorably reported it by voice vote, and that is all I can tell the gentleman.

Mr. GROSS. I think $2,000 would be some deterrent, but I would hope that the committee of the House would give consideration to perhaps increasing this penalty.

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

Mr. GROSS. I yield to the gentleman from Texas.

Mr. POAGE. I thank the gentleman for yielding.

We do not eliminate the ability of the Department to completely take away the license. We simply provide that the Secretary may impose fines not to exceed $2,000 without any court action. He can do that in lieu of taking away the license. Under existing law he can only take away the license completely, and we felt that it was desirable that he have this option, because otherwise he is going to put a lot of people out of business and achieve nothing more than he can achieve with a fine. What we are trying to do is to get them to obey the law.

Mr. GROSS. Did the gentleman say that it was not provided in the bill that the license could be taken away?

Mr. POAGE. Yes. The amendment will not take away the authority of the Secretary to take away the license with a proper court procedure. It allows the imposition of a $2,000 fine, which the merchant does not have to accept if he wants to go to court, but it allows the Secretary to impose the $2,000 fine in lieu of the proceeding to take away the license.

Mr. GROSS. I suspect the proceeding to take away the license would be more effective in some instances than the $2,000 fine.

Mr. POAGE. Correct, but we keep that authority.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 13264

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (5) of section 2 of the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. 499b(5)), is hereby amended by striking out the semicolon at the end thereof and substituting a colon and the following: *"Provided,* That any commission merchant, dealer, or broker who has violated this subsection may, with the consent of the Secretary, admit the violation or violations and pay a monetary penalty not to exceed $2,000 in lieu of a formal proceeding for the suspension of revocation of license, any payment so made to be deposited into the Treasury of the United States as miscellaneous receipts;".

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

AUTHORIZING THE NAVAL SEA CADET CORPS TO OBTAIN, TO THE SAME EXTENT AS THE BOY SCOUTS OF AMERICA, OBSOLETE AND SURPLUS NAVAL MATERIAL

The Clerk called the bill (H.R. 11144) to amend title 10, United States Code, to enable the Naval Sea Cadet Corps to obtain, to the same extent as the Boy Scouts of America, obsolete and surplus naval material.

There being no objection, the Clerk read the bill as follows:

H.R. 11144

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 7541 of title 10, United States Code, is amended—

(1) in the first sentence, by inserting immediately before the period at the end thereof the following: "and to the Naval Sea Cadet Corps for the sea cadets"; and

(2) by striking out the second sentence and inserting in lieu thereof the following: "The cost of transportation and delivery of material given or sold under this section shall be charged to the Boy Scouts of America or to the Naval Sea Cadet Corps, as the case may be."

(b) The catchline and the chapter analysis item for section 7541 are amended by inserting immediately after "Boy Scouts of America" the following: "and Naval Sea Cadet Corps".

SEC. 2. The amendments made by the first section shall take effect on the date of the enactment of this Act.

With the following committee amendment:

Strike all after the enacting clause and substitute the following new language:

That (a) section 7541 of title 10, United States Code, is amended—

(1) in the first sentence, by inserting immediately before the period at the end thereof the following: ', to the Naval Sea Cadet Corps for the sea cadets, and to the Young Marines of the Marine Corps League for the young marines'; and

(2) by striking out the second sentence and inserting in lieu thereof the following: 'The cost of transportation and delivery of material given or sold under this section shall be charged to the Boy Scouts of America, to the Naval Sea Cadets, or to the Young Marines of the Marine Corps League, as the case may be.'

(b) The catchline and the chapter analysis item for section 7541 are amended by inserting immediately after 'Boy Scouts of America' the following: "Naval Sea Cadet Corps, and Young Marines of the Marine Corps League."

SEC. 2. The amendments made by the first section shall take effect on the date of the enactment of this Act.

Amend the title so as to read:

"To amend title 10, United States Code, to enable the Naval Sea Cadet Corps and the Young Marines of the Marine Corps League to obtain, to the same extent as the Boy Scouts of America, obsolete and surplus naval material.

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to amend title 10, United States Code, to enable the Naval Sea Cadet Corps and the Young Marines of the Marine Corps League to obtain, to the same extent as the Boy Scouts of America, obsolete and surplus naval material.".

A motion to reconsider was laid on the table.

AUTHORIZING THE PRESIDENT TO APPOINT TO THE ACTIVE LIST OF THE NAVY AND MARINE CORPS CERTAIN RESERVES AND TEMPORARY OFFICERS

The Clerk called the bill (H.R. 8591) to authorize the President to appoint to the active list of the Navy and Marine Corps of certain Reserves and temporary officers.

There being no objection; the Clerk read the bill as follows:

H.R. 8591

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That notwithstanding the provisions of section 5573a of title 10, United States Code, or any other provisions of law, the President is authorized to make appointments to the active list of the Navy in permanent grades not above captain, and to the active list of the Marine Corps in permanent grades not above colonel from officers of the Naval Reserve or the Marine Corps Reserve, and from officers of the Regular Navy or Marine Corps who do not hold permanent commissioned appointments therein who were in a missing status as defined in section 551(2) of title 37, United States Code, during the Vietnam conflict as a result of such conflict.

SEC. 2. This Act becomes effective on the date of enactment. The authority to make appointments under this Act shall expire two years from the date of enactment.

With the following committee amendment:

Strike everything after the enacting clause and add the following new language:

That, notwithstanding section 5573a of title 10, United States Code, or any other law, the President may make appointments to the active list of the Navy in permanent grades not above captain, and to the active list of the Marine Corps in permanent grades not above colonel from officers of the following who were in a missing status as defined in section 551(2) of title 37, United States Code, during the Vietnam conflict as a result of that conflict:

(1) The Naval Reserve or the Marine Corps Reserve.

(2) The Regular Navy or Marine Corps who do not hold permanent commissioned appointments therein.

SEC. 2. For the purposes of this Act, the Vietnam conflict—

(1) begins on February 28, 1961;

(2) ends on the date designated by the President by Executive order as the date of the termination of combatant activities in Vietnam; and

(3) includes activities in Vietnam, Laos, Cambodia, and Thailand.

SEC. 3. The authority to make appointments under this Act shall expire two years from the date of enactment.

The committee amendment was agreed to.

Mr. FREY. Mr. Speaker, we are today considering legislation—H.R. 8591—which will right a wrong caused by the Vietnam war.

I introduced this legislation over 1 year ago. The legislation is extremely important to several men who have served this Nation honorably and well. It will solve a problem caused by their service in the armed services and because they were prisoners of war in Vietnam.

The legislation, Mr. Speaker, would, as the favorable House Armed Services Committee report states:

> Correct a unique situation created for the Navy and Marine Corps when reserve and temporary officers of those services were captured and detained for extended periods of time by foreign forces in Southeast Asia.

This legislation came about because there are several Reserve officers of the Marine Corps and Navy who wanted to apply for commissions in the Regular service but were prevented from doing so because they were prisoners of war.

When they were released from captivity they found they had been promoted beyond the ranks where they could have applied for regular commissions.

Since there is a provision in the law which prohibits those above the ranks of Navy lieutenant and Marine Corps captain from applying for Regular commissions the legislation we are considering today is the only solution available.

This legislation, Mr. Speaker, would extend for a period of 2 years the length of time these men have to apply for Regular commissions and would apply only to those men promoted while prisoners of war.

I ask, Mr. Speaker, for a favorable vote on this legislation which as I said in the beginning is another way we can correct a wrong created by the Vietnam war.

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

The title was amended so as to read: "A bill to authorize the President to appoint to the active list of the Navy and Marine Corps certain Reserves and temporary officers.".

A motion to reconsider was laid on the table.

APPOINTMENT OF PARLIAMENTARIAN OF HOUSE

The SPEAKER. The Chair desires to announce that he has on this date appointed William Holmes Brown as Parliamentarian of the House of Representatives to succeed Lewis Deschler, resigned.

WELCOME TO WILLIAM HOLMES BROWN, PARLIAMENTARIAN OF HOUSE

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

Mr. O'NEILL. Mr. Speaker, I take this time for the purpose of welcoming Bill

Brown in his official capacity as Parliamentarian. Bill Brown has been on our Parliamentarian's staff for 16 years, and since 1958, he was Second Assistant Parliamentarian. Last year he became Assistant Parliamentarian. Now, with the retirement of Lew Deschler, Bill has been appointed Parliamentarian of the House.

Mr. Speaker, I congratulate Bill Brown and know that all my colleagues join me in extending to Bill our sincere best wishes and delight in his appointment.

His background is truly impressive in academic excellence. Following his graduation from Huntington public schools, he attended Swarthmore College where his record was one of academic leadership. He was graduated from the University of Chicago law school and has served with distinction in the Naval Reserve.

Mr. Speaker, I extend my heartiest congratulations to Bill and to his lovely wife, Jean Elizabeth Smith Brown.

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

Mr. O'NEILL. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I thank my distinguished colleague for yielding.

I wish to associate myself with the remarks the gentleman from Massachusetts has made concerning the appointment of Bill Brown as Parliamentarian of the House.

I have known Bill Brown for some years and I consider him to be a highly qualified individual. He has had a fine education and he has demonstrated in all my dealings with him his complete capability, his complete candor, and his complete integrity. I look forward to his serving in this House for many years as Parliamentarian.

I congratulate Bill and his wife and the House of Representatives on the accession of Mr. William Brown to a position which he will fill with distinction. We fills some very large shoes left by Lewis Deschler. I am sure he will do it capably.

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

Mr. O'NEILL. I yield to the gentleman from California.

Mr. McFALL. Mr. Speaker, I wish to congratulate Bill Brown and say that the House is very fortunate to have a man of his experience and training as its Parliamentarian. I know he will do an outstanding job.

I wish to point out also that he has an engineering degree and if the Speaker should want any engineering advice about the new west front, Bill could be available.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from West Virginia, from whose hometown the Parliamentarian comes.

Mr. HECHLER of West Virginia. Mr. Speaker, the House is very fortunate in having another West Virginian in a high position. As the majority leader pointed out, Bill Brown happens to be from my home town of Huntington, W. Va. He was born in Huntington on September 3, 1929, and graduated from Huntington High School in 1947, where he edited the school newspaper for 2 years and also participated in student government and was a member of the track team.

I am also proud of the fact that Bill Brown graduated from Swarthmore College in 1951, which is the same college from which I graduated in 1935. After service in the Navy following his law work at the University of Chicago, Bill came to work as Second Assistant Parliamentarian in 1958—the same year that I was fortunate enough to be elected to the House of Representatives.

The House was very well served for the past 50 years by its master parliamentarian, Lewis Deschler, and although his shoes will be difficult to fill, I am sure that William Holmes Brown, Jr. will do the job well and faithfully.

KIWANIS CLUB OF NORWICH

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

Mr. HANLEY. Mr. Speaker, on June 29, 1974, the Kiwanis Club of Norwich, N.Y., celebrates its 25th year of service in the Norwich community. I take this opportunity to join the people of Norwich in offering my congratulations to this organization on this, its silver anniversary.

Kiwanis Clubs throughout the Nation and the world are known and respected for the work they do to aid people who are in need of help. I find it truly commendable that the members of these clubs, most of whom are busy and successful men, are willing to devote a significant portion of their time and energy to a service organization such as Kiwanis.

Today, I would like to commend in particular the members of the Kiwanis Club of Norwich for their service to the community in which they live. Voluntary service groups such as this Kiwanis Club constitute a tremendous force for good in cities and towns throughout the Nation. The Kiwanis Club of Norwich has undertaken many important and beneficial projects over the past 25 years.

In offering my congratulations, I sincerely extend my hopes for continued success and growth for the Kiwanis Club of Norwich in the future.

MRS. MARTIN LUTHER KING, SR.

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

Mr. DE LUGO. Mr. Speaker, our Nation has once more witnessed an appalling act of senseless and tragic violence in the shooting deaths of Mrs. Martin Luther King, Sr., and Deacon Edward Boykin. This event stuns and saddens men of good-will everywhere. It is beyond comprehension why one family, whose lives have been dedicated to furthering the cause of understanding and respect among all people, should be subject to so much personal loss and suffering. The first reaction is that the one responsible for this sickening crime should receive swift and appropriate punishment.

However, punishment alone will not atone for what took place in the Ebenezar Baptist Church on Sunday morning. It will not comfort the grief of the King family, nor will it alone properly recognize the loss of a truly exceptional lady. Mrs. Alberta Williams King's life epitomized the highest levels of decency, tolerance, respect, and love for every individual. Together with her husband, the Reverend Martin Luther King Sr., these virtues were made a part of the King family life, and incorporated into the civil rights movement by her distinguished son, the Reverend Martin Luther King, Jr.

Mr. Speaker, in addition to punishment, we as a nation and those of us who serve as the elected representatives of the people must redouble our efforts to help create the type of society in which the ethics which characterized Mrs. King's life may grow and spread into the hearts of all men. It is indeed an irony of history that those who have lived and spread the doctrine of nonviolence and respect for others should themselves be the victims of violence. The only proper way their sacrifices may be memorialized, by those of us who remain, is to carry their values in our hearts and minds and to try in every way possible to insure that their lives will provide the inspiration for achieving those principles by which they lived and for which they died.

PERSONAL EXPLANATION

Mr. DENT. Mr. Speaker, I would like the RECORD to note that on rollcall No. 324, page 21011, the so-called Pickle amendment, there were back-to-back votes. I was recorded on one, missed the middle one, and recorded on the other. They were on the same line. I think there was an error in my card not certifying the vote. I would like the RECORD to show that.

TELEGRAM TO PRESIDENT NIXON

(Mr. GROSS asked and was given permission to address the House for 1 minute.

Mr. GROSS. Mr. Speaker, this morning I sent the following telegram:

DEAR MR. PRESIDENT: Please come home immediately. We can't afford any more $500 million giveaways.

H.R. 14723, RURAL DEVELOPMENT REPORTING REQUIREMENT

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

Mr. SEBELIUS. Mr. Speaker, I appreciate and thank my colleagues for approving H.R. 14723 by unanimous consent. This proposal simply represents a technical amendment to change the reporting date for the annual report of the President on Government services to rural America.

This report is required under title IX, section 901(e) of the Agricultural Act of 1970. Due to the use of interagency data which is not collected and available until December for the previous fiscal year, it is impractical to require a report before this data can be collected and analyzed.

Our intent in the original legislation was to use this report as a service to rural commnuities and local civic leaders outlining the programs and Government services of potential benefit to them. Approval of the amendment today simply changes the reporting date from September 1 to May 15. This would provide for the proper use and analysis of available data so that the report can better serve its intended purpose. It would allow local officials to use the tools of Government in countryside America.

As a principal author of this legislation, our intent was to make this report a useful document reflecting the latest information available regarding Government services to rural America. I thank my colleagues for their support of this proposal.

THE SLAYING OF MRS. KING

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

Mr. GUDE. Mr. Speaker, the slaying of Mrs. Alberta Williams King in Atlanta Sunday, the slaying of Edward Boykin, a deacon in the church where Mrs. King was playing the organ, and the wounding of a third churchgoer—these demand more than official sympathy. They and the many less notorious shootings that occur so frequently in our communities demand a change in law.

Again and again, we see an angry man or woman pick up an ever-available handgun and kill.

We cannot pass laws to prevent men and women from becoming angry and murderous. But we can take steps to make handguns less available. Registration of handguns would make their owners more responsible for them—and less likely to have them out where they may be stolen. Registration of handguns would make it easier to trace a weapon used—and thus less likely that a potential user could hope to get away.

Registration of handguns would not end murders, just as registration of automobiles has not stopped the stealing of automobiles for reckless joy rides, but registration can help, both by deterring some and by increasing the opportunites for apprehension. Let us stop lamenting senseless killings. The victims do not want flowers. They cry out for sensible curbs on the weapon which turns the weakest hand into an instrument of death: the handgun.

APPOINTMENT OF CONFEREES ON H.R. 15074, REGULATING CAMPAIGN FINANCE PRACTICES IN THE DISTRICT OF COLUMBIA

Mr. DIGGS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15074) to regulate certain political campaign finance practices in the District of Columbia, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? The Chair hears none, and appoints the following conferees: Messrs. DIGGS, ADAMS, FRASER, STUCKEY, REES, NELSEN, BROYHILL of Virginia, and GUDE.

MAKING IN ORDER CONSIDERATION OF DISTRICT OF COLUMBIA BUSINESS ON TUESDAY, JULY 9, 1974

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that business which would be in order on Monday, July 8, 1974, under clause 8, rule XXIV, relating to District of Columbia business, be transferred to and be in order on Tuesday, July 9, 1974.

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

There was no objection.

THE SLAYING OF MRS. KING

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

Mr. SEIBERLING. Mr. Speaker, I simply want to associate myself with the remarks of the gentleman from Maryland (Mr. GUDE) with regard to the death yesterday of Mrs. King, and the absolutely urgent need to face up to the necessity of putting some controls on handguns.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 355]

Andrews, N.C.	Dorn	Kyros
Arends	Dulski	Landrum
Armstrong	Edwards, Ala.	Lehman
Ashbrook	Erlenborn	Lujan
Ashley	Evins, Tenn.	McCloskey
Beard	Fish	McEwen
Bell	Flowers	McSpadden
Bergland	Froehlich	Madden
Bevill	Goodling	Martin, Nebr.
Blatnik	Gray	Mathis, Ga.
Bolling	Green, Oreg.	Mayne
Brasco	Griffiths	Meeds
Breckinridge	Gubser	Mills
Burke, Calif.	Gunter	Mizell
Byron	Hanna	Montgomery
Camp	Hanrahan	Moorhead, Pa.
Carey, N.Y.	Hansen, Wash.	Mosher
Carney, Ohio	Hébert	Murphy, N.Y.
Clark	Heinz	Nichols
Cochran	Hogan	O'Brien
Conyers	Holifield	Passman
Crane	Horton	Pepper
Culver	Huber	Podell
Daniels, Dominick V.	Johnson, Colo.	Powell, Ohio
Davis, Ga.	Jones, Ala.	Railsback
de la Garza	Jones, Tenn.	Randall
Dellums	Karth	Reid
Dickinson	Ketchum	Rogers
Dingell	Kluczynski	Rooney, N.Y.
	Kuykendall	Rostenkowski
Sandman	Steiger, Ariz.	Thone
Scherle	Stuckey	Wilson, Bob
Shoup	Sullivan	Wyman
Sisk	Taylor, Mo.	Young, S.C.
Smith, Iowa	Teague	Zwach
Steele	Thomson, Wis.	

The SPEAKER. On this rollcall 328 Members have recorded their presence by electronic device, a quorum.

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that during the consideration of bills under suspension today, votes will be taken after each suspension has been considered and not put over until the end of the Suspension Calendar.

AUTHORIZING COMMITTEE ON THE JUDICIARY PROCEDURE

Mr. RODINO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1210) authorizing the Committee on the Judiciary to proceed without regard to the second sentence of clause 27(f)(4) of rule XI of the rules of the House, in conducting hearings held pursuant to House Resolution 803.

The Clerk read the resolution, as follows:

H. RES. 1210

Resolved, That in conducting hearings held pursuant to House Resolution 803, 93d Congress, the Committee on the Judiciary is authorized to proceed without regard to the second sentence of clause 27(f)(4) of rule XI of the rules of the House.

The SPEAKER. Is a second demanded?

Mr. DENNIS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from New Jersey (Mr. RODINO) will be recognized for 20 minutes, and the gentleman from Indiana (Mr. DENNIS) will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. RODINO).

Mr. RODINO. Mr. Speaker, this is a simple resolution which was voted by the House Committee on the Judiciary by an overwhelming vote of 31 to 6. The committee is attempting to meet its responsibilities and to exercise its responsibilities under House Resolution 803 with an eye toward achieving two objectives: conducting the fairest and most thorough inquiry, and arriving at the same time at a prompt conclusion to that inquiry as is consistent with our responsibility.

I believe this resolution authorizing the committee to proceed without regard to the 5-minute rule in the interrogation of witnesses would greatly facilitate the achievement of those objectives. It would permit both probing and orderly examination of witnesses and still provide great flexibility to Members seeking answers to specific relevant questions.

The committee is very much committed to an expeditious resolution of this

tremendous problem before it. For that reason it has voluntarily chosen to seek House approval of this resolution. By waiving the strictures of rigid adherence to the 5-minute rule, the committee avoids the pitfall of more than 3 hours of possibly repetitive questioning each time a witness has testified and has already been interrogated by counsel.

If we are to expedite the inquiry and still have participation by counsel for the President, we must allow ourselves this flexibility in proceeding under this one provision of rule XI. The committee itself believes this is the proper course, and the chairman can assure the House, however, as he has assured the members of the committee, that the Members will have the opportunity to submit any and all of their questions in writing.

Counsel will be instructed to propound the relative inquiries during the interrogation. I urge the full House to facilitate the work of the committee in this regard and to support the resolution. This proposal has wide bipartisan support in the committee, recognizing the problems that we are confronted with, and I hope that this resolution is adopted.

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

Mr. RODINO. I yield to the Speaker.

Mr. ALBERT. Mr. Speaker, I want to commend the overwhelming majority of the committee for adopting this procedure. The expeditious consideration of this matter is very important, expeditious consideration without sacrificing complete consideration, and under the plan which the chairman has announced it seems to me that the adoption of this resolution will enable us to get that result.

I commend the chairman for bringing this resolution to the floor.

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

Mr. RODINO. I yield to the distinguished minority leader, the gentleman from Arizona (Mr. RHODES).

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

I certainly concur with the words of the Speaker that the country wants this matter resolved just as rapidly as possible. The matter should proceed as expeditiously as we can possibly make it proceed.

However, I would like to propound a question or two to the gentleman from New Jersey. In the first place, will a Member have an absolute right to have his question asked by the counsel or by Mr. St. Clair if he so desires?

Mr. RODINO. That is providing of course it is relevant and it is propounded in writing.

Mr. RHODES. Will the matter of relevancy be decided by the chairman of the committee, or by what other person?

Mr. RODINO. I have in the past attempted to be as flexible as possible. I recognize that we are not strictly adhering to the rules of evidence, but in the interest of trying to make this inquiry the kind of inquiry that is fair, we would consider the relevancy of the question as well. I think the members of the committee would understand and recognize that.

Mr. RHODES. If I understand the chairman correctly, I think he is saying that the questions propounded will be asked unless they are obviously duplicatory or unless they are obviously irrelevant.

Mr. RODINO. That is correct.

Mr. RHODES. I would hope that the chairman would give wide latitude to the Members in asking questions.

Mr. RODINO. The chairman has been doing that during the time of this inquiry.

Mr. RHODES. There have been some questions as to what witnesses the Judiciary Committee will call. The President's counsel has asked for six witnesses to be called. So far as I know the present plans are to call only two of them, although the others have been placed in another category of those who would possibly be called. Could the chairman tell us whether or not all six will be called or just what the status of the request of Mr. St. Clair is?

Mr. RODINO. I might advise the gentleman that presently all the witnesses that were requested by the President's counsel are on the list scheduled to be interviewed, subpenas have been prepared for all of them, and it is the intention of the chairman of the committee to recommend that following the interviews all those witnesses who were requested will be called.

Mr. RHODES. Will Mr. St. Clair have a rather wide latitude in questioning all witnesses before the committee or what rules will he be subjected to so far as his questions are concerned?

Mr. RODINO. The rules that Mr. St. Clair will have to adhere to and comply with are the rules that have been laid down by the committee, and those rules are laid down in our Impeachment Inquiry Procedures, which is a publication which the committee issued on May 2, 1974.

However, I would also like to state that while these procedures have been established the chairman has been most liberal in the interpretation of some of these procedures in order to give the President's counsel as wide a latitude as possible so we will be able to conduct a fair proceeding.

Mr. RHODES. Mr. Speaker, I regret to say that I am not familiar wtih the procedure prescribed in the rules of the Judiciary Committee. Is it the thinking of the chairman that the questions offered by the counsel to the President would be propounded by him directly to the witness, unless the questions are irrelevant, obviously irrelevant, or duplicatory?

Mr. RODINO. The questions that the President's counsel will propound will be propounded directly. Unless, of course, they are duplicative or unless they are obviously irrelevant, in which case the Chair, in order to make the inquiry proper, would have to rule them out of order.

Mr. RHODES. The question would be propounded directly to the witness?

Mr. RODINO. That is correct.

Mr. RHODES. I take it there is no time limit put on the counsel for the President?

Mr. RODINO. The chairman would like to state that up until this moment, and I am sure every member of the committee can attest that the President's counsel has made various requests as to time and there has never been any question as to the amount of time he requested and it was granted to him.

Mr. RHODES. Is the chairman saying that he would follow this procedure in the future?

Mr. RODINO. Yes; that is correct.

Mr. RHODES. And he will not put any time limits on the counsel for the President?

Mr. RODINO. My only fiat, I might say, is that of the committee, which the committee has placed upon us and that is within the period of time the witnesses who are to be called would be called within that period of time, unless the committee would decide otherwise.

Mr. RHODES. The House, of course, is much interested, as we previously stated, in seeing this matter to a conclusion as rapidly as possible. Could the distinguished chairman give us now at this time his own schedule to the time of reporting of the matter to the House, or at least a vote being taken in the committee as to whatever disposition the committee would make of the matter?

Mr. RODINO. If we are successful in the adoption of this resolution, then it is hoped that we can meet a schedule coming to the floor of the House sometime in early August. The committee would be in a position, I think, to vote around the 23d of July.

Mr. RHODES. One further question. Is it the thinking of the chairman to ask for open hearings of the Committee on the Judiciary during the time the witnesses are being questioned?

Mr. RODINO. The chairman has stated that insofar as open hearings are concerned, I believe that this is a matter that we are going to consider this afternoon. The chairman, following the will of the committee some time ago when it considered this question and the question as to how the inquiry should be conducted, recognized that there was a need to protect the rights of third parties, that this inquiry should be presented in a manner that would be comprehensive and not just take a certain phase of it. Because of the material that is before the committee and because there is sensitive material and material that has been produced by grand juries and other committees of the Congress in executive session, the chairman of the committee is not supporting a motion to go into open hearings, but rather closed hearings. This has been a matter that has been discussed rather fully by Members of the committee. A vote of this sort was taken when we initially started this presentation and it was an overwhelming vote.

Mr. RHODES. I thank the gentleman.

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

Mr. RODINO. I yield to the gentleman from Michigan, the ranking Member of the committee.

Mr. HUTCHINSON. I simply want to state to the House my support for this resolution as it is presented. I would be greatly concerned if I thought this resolution would constitute any precedent as far as ordinary legislative business of the

House or any of its committees was concerned. This impeachment inquiry is a most unique proceeding.

We will have before us witnesses under oath. I have never known of a judicial, or even a quasi-judicial proceeding, where a witness under oath would be subjected to questioning by 38 or 40 different lawyers. I say 40, because in addition to the 38 Members of the committee each of whom, under the present rules of the House, would be given 5 minutes to question each and every witness under oath, of course counsel also will inquire.

It seems to us that an orderly proceeding requires that counsel do the questioning. The committee counsel will do the questioning; so will the President's counsel, Mr. St. Clair. They will do the questioning, and any Member of the committee who desires that a certain line of questioning be put to a particular witness will make that request to counsel, and certainly is entitled to have his request carried out unless his line of questioning is entirely irrelevant or completely duplicative, or simply dilatory.

Mr. Speaker, for these reasons and for many others which time does not permit me to state, I want to assure the Members of the House that I support this resolution as it is presented.

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

Mr. Speaker, Members of the House, I am unalterably and strongly opposed to this resolution. I am opposed to it because it is a derogation, and I would say a contempt of the basic rights, the basic privileges and the basic duties of every one of us here as an elected Member of this body.

I am against it because, regardless of what my good friend, the gentleman from Michigan, may hope, it will set a horrible precedent. I am against it because, in my judgment, it is utterly unworkable in practice. I may say that it seems to me rather ironic and rather unfortunate that a relatively junior Member of this House, such as myself, has to stand here and defend the prerogatives and the rights of the individual Members of this distinguished and honorable and historic body against the leadership on both sides who want to surrender those same rights. I never expected to find myself in that position.

But I am here, and the only way we can avoid it is by every Member standing up for his rights as an individual. A bad precedent? Of course it is a terrible precedent.

This is one—I do not say one—this is probably the most important single thing any Member of this House will ever do while he is here, and yet we are asked to take a step which will say that on this one most important thing we are not to be trusted to exercise our ordinary rights and privileges as Members of this House.

Imagine. We are talking about the impeachment of the President of the United States, and 36 members of this distinguished committee are charged with the duty of deciding whether to bring in an impeachment resolution, and not one of them can ask a question on his own? I do not think there is a Member of this House, not on the committee, who would vote such a stricture on himself if he had the opportunity to do it. If this can be done today on this issue, it can be done on any issue that comes along of any importance.

Why should we ever allow Members of this House their rights and their prerogatives to question witnesses in a hearing of any kind once we do this today? There may be members of the committee who would waste some time.

I do not think there are very many.

I have great respect for the members of this committee, but it really does not make any difference. Each one of the Members' rights are theirs as Members of this body, and as such each Member has certain rights and prerogatives. Each Member has the same rights and the same prerogatives as anybody in the leadership or anybody who is twice as smart as any other Member, and nobody can take those rights away from us, because we have a rule book, unless we are stupid enough to vote those rights away for ourselves.

The Members can do it if they want to, of course, but I am not about to do that. I would hate to see the day when I thought a majority of my colleagues were about to do that.

Surely, a Member may ask a question in writing. Some of the Members have tried lawsuits, as I have. The time to ask a question is when the time to ask a question arises. By the time you sit down and write a book about it and pass it up to the chairman and down to counsel, the time to ask the question is gone. That is ridiculous. It does not give the Members anything.

All the witnesses have been subpenaed. Maybe so, but on a very strongly debated vote in the committee, only five of them will necessarily be called. The rules of the committee will be liberally construed as to the President's counsel, it is said. Maybe so, but in the committee I tried to give him the right to cross-examine, and that was voted down. But those things really are not the important things. They may appeal to some Members here, but the real question is that we should stand up for our own rights as Members of this House.

I do not know whether I want to ask a single question or not. I will guarantee the Members that I will not ask one unless I at least think I have a good reason for it. I will not ask it to be hearing myself talk, but I have a certain right and a certain prerogative, and, up to this point at least, a certain dignity as a Member of this House, and so have all the Members. We do not want to surrender our rights to the staff. Why should a question of this magnitude be conducted entirely by the hired help? Why should not the Members of the Congress act like Members of the Congress?

It is shocking to me that the leadership of the Congress on both sides want to deny that right and privilege to the ordinary individual Member of this House, regardless of how he votes, or regardless of the rules, or regardless of his political views or anything else.

It just will not do. If two-thirds of the Members want to sit here and vote for this rule change, they are going to have a chance to do it. If the Members think they are so incompetent, so inefficient, and so irresponsible that they cannot be trusted to act like Members of this House and to ask a question on a matter of this magnitude and importance, go ahead and do it, because nobody can stop the House from doing it; but I am not going to do it, and I hope that most of the Members will not do it.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. Does the gentleman desire to yield further time?

Mr. DENNIS. I do have a few requests for time, Mr. Speaker. I would like to know how much time I used.

The SPEAKER. The gentleman used 7 minutes. The gentleman from New Jersey used 13 minutes, so the gentleman has considerable time left.

Mr. DENNIS. I am prepared to yield time, Mr. Speaker. I yield 4 minutes to the gentleman from Ohio (Mr. LATTA).

The SPEAKER. The gentleman from Ohio is recognized for 4 minutes.

Mr. LATTA. Mr. Speaker, like the gentleman from Indiana, who just addressed us, I am opposed to this rule change, not because I may have questions to ask, but I feel as an elected Member of this body that I have certain rights. That is what the rule book is for, to protect the rights of Members of this Congress, whether they happen to sit on the Committee on the Judiciary or on the Committee on Banking and Currency or on the Committee on Armed Services or on the Committee on Ways and Means, or wherever they may sit. Those rules are written for one purpose, and that is to protect the rights of Members of this House.

I do not feel very kindly toward any kind of deals, agreements, or communications between more senior Members or between Members of the leadership, whether they are on this side or the other side of the aisle, concerning any meeting of the minds to change the rules without contacting the members of the committee to be affected by those proposed changes.

I do not like it, Mr. Speaker. I was sorry to hear the distinguished Speaker of this House say on this floor just a few moments ago that he was in favor of taking away the rights provided under the rules for a Member of Congress when his primary responsibility as Speaker is to see that those rules are faithfully executed. This rule involves the right to interrogate a witness for 5 minutes—only 5 minutes, that is all we are talking about.

To suspend Members' rights is wrong. A wrong precedent would be set in doing it in our inquiry on impeachment.

I will just say this to the Members of the House who have not sat on this committee for the past several months: I do not think, as one member of the committee, that these hearings have been prolonged unduly. I think we had to get at the truth in this matter and this is taking time. We must bring it all out. I

do not think we should come down to this most important stage of the hearings and say they ought to be compressed into some prearranged timeframe and members' rights to examine witnesses should be abandoned. We ought to recognize we have had a staff—a staff, not Members of the Congress elected by the people of this country—preparing these evidentiary statements and presenting them to us day after day, day after day, without having any input into their preparation as Members of Congress. Members have no way of knowing whether or not we have been given a complete picture upon which to ultimately base a judgment.

It seems unthinkable to me that now, at the conclusion of this spoon-feeding by staff, they are going to spoon-feed the questions to the witnesses to be called before the committee.

Certainly members of the bar realize there is a right time and a wrong time to ask a question, and when we have to write down a timely question and submit it to staff, it loses its timeliness. When the time comes to ask a pertinent question, that is the time to ask it and not at the conclusion of the day when the witness is about to be discharged. That question should be asked by the member when he deems best to ask it.

Mr. Speaker, I just do not like the idea of submitting my questions in writing to anybody, whether they are to go to the hired help, the chairman of the committee, the ranking member, or the Speaker himself. I have certain rights as a Member of this Congress, and I intend to exercise those rights today, tomorrow, and every day that I am privileged to serve here. I am not going to suspend those rights in this inquiry or any future inquiries or hearings. I urge the Members to vote no and protect Members' rights as given them under the rules of the House.

Mr. DENNIS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MARAZITI).

Mr. MARAZITI. Mr. Speaker, I appreciate the desire to conclude the impeachment inquiry at the earliest possible time. The chairman of the committee has worked hard, and the members of the committee have worked hard. We have worked for a period of 6 months in the presentation by the staff.

How much time are we talking about? Only several days more, perhaps at the most a week more. If necessary, we can work at night and work on a Saturday to catch up, if we are tied into this schedule within a time frame.

We have listened to the presentation by the staff for 6 months, and now comes the time for participation by the members. The members of the committee are capable. They are lawyers of long standing. I am sure they have a number of questions and a number of points they would like to clear up.

How are we going to do this if we must write out a question and submit that question to the chairman of the committee and the witness gives an answer that is partly responsive and partly not responsive? How are we going to follow it up and follow through with the thrust of the cross-examination?

We do not have the time to write out a question. I think the proposal here today to suspend this rule of the House is preposterous, as has been said. We have been elected here as Members of the House and as members of the committee to represent the people in our districts, and we are representing them; members of the staff were not elected to represent them.

Mr. DENNIS. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. LOTT).

Mr. LOTT. Mr. Speaker, we are today considering a resolution that was introduced only this morning, even though it was reported out of the Committee on the Judiciary on June 26, and it waives this sentence:

> All committees shall provide in their rules of procedure for the application of the five-minute rule in the interrogation of witnesses until such time as each member of the committee who so desires has had an opportunity to question the witness.

This all seems very simple. Mr. Speaker, I voted against this resolution in the committee, and I did so because I feel that it is my right as a Member of this body to be allowed and assured at least 5 minutes to question a witness, especially on a matter of such great importance.

I am not saying that I would be denied the right to question any witness that comes before the committee, but I would feel better if the rules of the House, which are rules of its committees, would stay in effect.

I feel as a member of the House Committee on the Judiciary that I must, and that I am bound to express myself on this resolution. My argument will not be a technical argument, but very practical: What is to be gained by passing this resolution, just because it is ostensibly to speed up the proceedings and to keep them orderly?

Well, we are now in the very heart of these proceedings. Why, after 6 months, are we all of a sudden trying to so bind ourselves by strict time limits? Surely, it may take more time, but we are only talking about 5 minutes. There are only 38 committee members, and we will call in all probability no more than 8 witnesses, possibly 6, so we are talking about a total of 24 hours. Well, the committee met for 24 hours or more last week, so we are only talking about a maximum of 1 week.

It is also argued that counsel for the committee is better prepared to ask these questions. That is a good point, because the staff has done all of the work to date. Do we want to turn this historical proceeding completely over to the staff?

Another matter: This is a gag rule. I admit that the Members may want to gag some of us, but is this the way to do it? I may not ask a single question, but I cannot be a party to foreclosing that right.

What has happened to the rights of this Congress to have just 5 minutes?

The SPEAKER. The time of the gentleman has expired.

Mr. RODINO. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. MCCLORY).

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

Mr. Speaker, I would like to express strong support for the position taken by the chairman of the committee, and by the distinguished ranking minority Member, the gentleman from Michigan (Mr. HUTCHINSON) with regard to this resolution. I am sure the Members will recall that at the very outset of this matter I urged that we put a limitation date on these hearings. The Members overruled me at that time. If the Members overrule this change in the rules then it seems to me that we will be voting to prolong these proceedings and against bringing them to an orderly and early close.

We have engaged competent counsel. It seems to me that our counsel are capable of propounding the questions to the witnesses. The President is represented by his counsel; his position will be represented. We have a majority and a minority counsel on the committee so that our positions can be represented fully.

In addition to that, we will have the opportunity, as the chairman has stated, and as has been confirmed by our minority leader, to have the opportunity in any instance where we want to ask a question that is relevant, and not repetitions through our counsel—and in that manner to propound questions to the witnesses.

We do have a cutoff date now, I want you to know about this cutoff date. It is 1 week from this weekend.

If we want to keep that cut-off date, it seems to me we have to support this kind of procedure. It is about time we got this impeachment inquiry over with and behind us. We are not going to achieve this result unless we provide a mechanism through which we can do it. So I am going to urge the Members to support us at this time with this assurance, that it will provide for a responsible but an expeditious conclusion of this important business.

Mr. Speaker, ever since the adoption of House Resolution 803 I have been anxious to bring this entire impeachment inquiry to an early and responsible conclusion. For that reason, I rise in support of the resolution authorizing the Committee on the Judiciary to proceed without regard to the second sentence of paragraph f(4) of clause 27 of rule XI of the House of Representatives while it is receiving testimony during the impeachment inquiry, conducted pursuant to House Resolution 803.

We have now proceeded to a point in our investigation where witnesses must be questioned to clarify certain facts necessary for the proper resolution of this investigation.

I understand that a procedure has been worked out whereby the chairman and ranking minority member will determine the areas to be covered by each

witness, and then counsel will question each witness regarding these specific areas. Any committee member may submit questions within the areas to be covered, and counsel will then propound the member's question, if it has not been asked already during counsel's examination of the witness.

In this way, repetitive questions can be avoided, as well as questions that wander far afield from the proper scope of the particular witness' testimony. I am afraid our committee engaged in both repetitive and irrelevant questioning during our recent hearings confirming GERALD FORD as Vice President, causing what I feel was unnecessary delay in completing House action on his nomination. Of course, rule 4 of our Rules of Impeachment Procedures specifically provides that the President's counsel also will be given an opportunity to examine each witness in addition to the questioning by committee counsel.

This resolution does not affect in any way whether the committee shall recommend Articles of Impeachment. But it does hasten the conclusion of the committee's lengthy inquiry. I believe that is a goal we all desire. Thus I urge my colleagues to support this resolution.

Mr. RODINO. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. Mr. Speaker, the goal of the Committee on the Judiciary, this Congress, and the Nation, is to expedite the inquiry to a maximum extent consistent with fairness and thoroughness. As we consider time, we might want to consider how long it took the committee to recommend impeachment of Andrew Johnson. They spent 3 days at it.

We have now spent something like 6 months, so we have not been in a rush to judgment. There must be an end, however, to all things. I am proud of my service on this committee because it is overall a bipartisan approach to most issues. They are fair and they are judicious, and I am proud of the Members on both sides of the aisle.

As we consider rights—this applies only to the judiciary; it touches no one else—I want to remind my colleagues of this. What are these ancient and unalienable rights with which we are concerned. The committee 5 minute rule involved was adopted January 22, 1971. I could not tell the difference. I have been here 10 years. They are fair in the Committee on the Judiciary, and they will be fair on this issue.

The SPEAKER. The time of the gentleman has expired.

Mr. RODINO. Mr. Speaker, I reserve the balance of my time.

Mr. DENNIS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I am neither a lawyer nor a member of the Judiciary Committee, but I do understand the legislative process and I know the importance of a legislator's right to inquire. And I know the importance of having rules of procedure.

Mr. Speaker, in the legislative body of a free nation, rules are established to guarantee that the majority can work its will, but at the same time those rules are also established to protect the rights of a minority. Adoption of this resolution to waive one of those protections attacks the very principle on which that theory is founded.

Mr. HUTCHINSON said he would not want adoption of this resolution considered as a precedent for consideration of future legislation. Well, Mr. Speaker, if the gentleman would not want to waive Members' rights to inquire when considering legislation, how can he possibly condone it in the consideration of such a serious matter as the impeachment of a President of the United States?

This resolution before the House provides for the suspension of the second sentence of clause 27(f)(4) of rule XI of the House. This sentence reads:

> All committees shall provide in their rules of procedure for the application of the 5-minute rule in the interrogation of witnesses until such time as each member of the Committee who so desires has had an opportunity to question the witness.

Passage of this resolution could, as the committee majority desires, deprive minority members of the committee of their right, under the House rules, to participate in such examination of witnesses.

If we approve this resolution, what is to prevent the chairman of the Judiciary Committee from excluding minority participation altogether? Previous experience in this inquiry has clearly revealed that the chairman has used his majority to conduct the inquiry in a highly partisan manner, biased against the President. Mr. HOGAN, for example, pointed out on Friday, that—

> Every time some element of fairness has been conceded to the President or his counsel, it has taken place only aften an agonizing partisan squabble.

He noted that after the committee had approved his amendment to allow the President's counsel the right to call witnesses, the chairman immediately recessed the meeting, called a Democratic caucus, and instructed the majority. Upon reconvening the meeting, the committee immediately reversed itself on the Hogan amendment, along straight party lines, and denied the President's counsel the right to call his own witnesses.

Mr. HOGAN concluded:

> So, when we hear talk about fairness, we really ought not to be deluded into believing that is true.

With this track record of the majority on the committee before us, how do we know that the chairman will not use that same partisan majority as a club to restrict minority examination of the witnesses? Since the committee has already limited the witnesses themselves to one side, it seems logical that they would subsequently seek to limit minority interrogation of these witnesses—and the resolution we have before us gives them precisely the authority to do so. Have certain witnesses been preselected by the majority to bring damaging evidence against the President, and are we being asked to set the stage to avoid any embarrassing questions of these witnesses?

We are also told that the committee will try to control the nature and direction of the interrogation so as to avoid going off on tangents and maintain a consistent line of examination. This will be done supposedly by having the members submit lists of questions to counsel for the committee, so that counsel can present these questions. This is like having the defense turn over its cross-examination to the prosecuting attorney. It sets the stage for a series of "leading questions" which will undoubtedly lead in one direction only—against the President.

It also means that counsel will be able to screen out any questions which might embarrass the witnesses, give the lie to their testimony, or lead to the presentation of evidence which would exonerate the President. Mr. HOGAN has already pointed out that counsel and staff have excluded from their presentations such exculpatory material from the grand jury testimony. If the minority thus tamely turn over their right of direct examination of witnesses to counsel, they are abandoning their responsibility as lawyers to the mandate of the House to determine the truth. Preselected witnesses and preprogramed questions cannot reveal the truth.

Unless the resolution before the House is amended to provide a full guarantee of the right of the minority to full participation in interrogation of witnesses, and the right of the minority to ask any and all questions on an equal-time basis with the majority, the House should defeat it. The present rule provides a much better safeguard of evenhandedness at this point, than the resolution before us.

Mr. DENNIS. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Speaker, the committee's business should be conducted with all dispatch, but not absolutely dispassionately, nor in a delegated way. I think the public is becoming concerned about the way in which we as Members are accelerating the trend of, in effect, abdicating our individual responsibilities as Members, to staff workers. I have noticed this trend in committees on which I serve, and obviously it has occurred in the Committee on the Judiciary.

The original date set for that committee for report, as I recall, was April 30. Yet the members' participation was very limited up to that time and even up until this time.

I would say to the Members on this side of the aisle that if we can in effect, waive a rule of the House, a general rule of the House, on a particular occasion, when that particular occasion is the impeachment of the President or the inquiry relating to the impeachment of the President, how many times in the future will we be asked to do the same thing, and how many times in the future, as a

Member of the minority, will we have the will of the majority prevailing without the protection of the rules of the House?

The SPEAKER. The time of the gentleman has expired.

Mr. DENNIS. Mr. Speaker, I think this debate which is now drawing to a close has pretty well covered the points involved. Something has been said about the desire for expedition. I share that desire. I think everyone shares that desire. But we are not going to make much difference here in expedition, and if expedition is really what we were worrying about we could have been calling these witnesses for the last 6 weeks, and maybe we should have been calling these witnesses for the last 6 weeks; and we could have been subpenaing people, and we could have been deciding whether anyone should be granted use immunity, instead of sitting there and listening to the staff reading a compilation of records to us, which did represent an enormous amount of work but which we could have read ourselves.

Now we talk about expedition as a make weight in order to ask us to abrogate our rights and our duties and our responsibilities as Members of this body. I simply say this to the Members. If the members of the Judiciary Committee can be deprived of their parliamentary right to question witnesses in an impeachment inquiry, every Member of this House and every committee in this House can and, I venture to predict, will be deprived of the right to question witnesses in any kind of hearing any time there is pressure, any time there is public sentiment, any time the leadership on either or both sides want to do it to the Members.

This is the day to stand up and be counted as a Member. This is a question of parliamentary suicide. Nobody can destroy the right or that privilege except the Members of this House.

As I said before, I cannot believe, until I see it happening, regardless of the issue, regardless of the merits of the impeachment matter, regardless of politics, regardless of anything else, I cannot believe that two-thirds of the elected Members of this body, who have certain rights and privileges that no one else has by virture of being elected Members will derogate and cheapen and throw away those rights by sitting here and casting a vote saying that they personally and individually consider themselves incompetent and incapable of doing their duty on this occasion.

I ask the Members to vote down this resolution.

Mr. RODINO. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. MANN).

Mr. MANN. Mr. Speaker, it is not lightly that I have come to the conclusion that the orderly disposition of this matter and the search for truth will be promoted by the adoption of this resolution.

One trouble we lawyers may have on the Committee on the Judiciary is that we cannot forget that we are lawyers, and we fail to remember that we are not engaged in a trial. I was interested to hear the gentleman from Ohio say that the time to ask a question is "then and there;" that is, immediately upon the issue arising. As I calculate the time that he gets to ask his question, it is not less than 3 hours and 5 minutes after the "then and there." And the gentleman from South Carolina has to wait only 2 hours to ask his question.

I would like to have the right when a certain course of questioning is going on by counsel to be able to hand up my note and to have my thought pursued "then and there." That is the procedure made possible by this resolution.

It is not at all predetermined that we are going to close these hearings, and I would hate to be put on the spot before my constituency to show I can be as clever or as repetitive or as argumentative as the 2 hours of similar performances that have preceded me. Most assuredly each Member will insist upon his 5-minute performance, lest he appear less clever than his fellow Members. Thus, unnecessary questions will be asked and unnecessary time will be consumed.

I ask the Members to be practical anl to be orderly and to let us find the truth.

Mr. RODINO. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. THORNTON).

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

Mr. Speaker, this resolution sets a sensible course if we are serious about coming to any kind of prompt and fair resolution in our committee. It is reasonable and it is practical if we want to bring the matter to a conclusion in this House sometime this summer.

The individual rights of Members of this House are important, as has been stated, but those rights are protected by the proposal before us, and must be balanced with the interest of our Nation in bringing this matter to a full and fair conclusion.

As has been stated, the witnesses before the committee are going to be examined thoroughly by the special counsel and by special counsel for the minority. The President's counsel is also going to be invited to participate. If after all this thorough examination the committee must also sit for extended hours of possibly repetitive and unrelated questioning, we will not be able to proceed in an orderly way to a conclusion.

Our committee has recommended that this procedure should be followed by a vote of 31 to 6. I am hopeful we will be permitted to proceed on this basis with approval by the full House.

Mr. RODINO. Mr. Speaker, I would merely like to reiterate that the only reason we adopted this procedure was so that we might be able to be expeditious. The House clamored for expedition. We have been comprehensive. We have gone through a multitude of detailed information presented by counsel for the committee, as well as counsel for the President.

We have allowed for witnesses to come in. The President's counsel has been and will be given ample opportunity to participate. In this way, I think we will have presented to us that kind of information, that kind of material evidence that the committee may make a fair vote on after some kind of debate.

Now, I would like to point out for the benefit of the House that in the only impeachment proceeding against a President of the United States that we consider a precedent, that in the trial of that impeachment proceeding in the Senate of the United States even the Senators were required to submit their questions in writing.

We are not in an adversary stage. We are not in the process of conducting a trial. We are in the process of trying to acquire information so that we may make a fair judgment after all the facts are in.

I am hopeful, Mr. Speaker, that this bipartisan effort on the part of the members of the Committee on the Judiciary does not preclude anyone from the opportunity of submitting questions, but only assists us to expeditiously arrive at a fair resolution of this all-important problem.

Mr. BEARD. Mr. Speaker, because of problems which affect every air traveler at one time or another, I was unavoidably detained earlier today in Memphis, Tenn.

Due to my late arrival in Washington, I was prevented from casting a vote on House Resolution 1210, to authorize suspension of the 5-minute rule—clause 27(f)(4) of rule IX—during the impeachment inquiry currently being conducted by the Judiciary Committee.

Like most Americans, Mr. Speaker, I am weary of Watergate. We have witnessed excesses by all those who have been involved in these events, and I feel that we should get on with these proceedings in the most expeditious way possible. However, I am deeply concerned about the effect that this resolution will have both on the Judiciary Committee itself, and as a precedent for other committees. I do not feel we should expedite these proceedings by taking away the rights of the individual Members to question witnesses. I feel this is a critical element in these crucial hearings. If we must extend these hearings 1 additional week, so be it. Thus, I would like the record to show that, had I been able to be here, I would have cast a vote strongly against House Resolution 1210.

Mr. CLEVELAND. Mr. Speaker, I intend to oppose the resolution now under consideration to establish a "gag rule" in the Judiciary Committee investigation of whether grounds exist to impeach the President of the United States.

The resolution would provide that questions from Members would have to be presented to designated staff members and that they would have to be asked by the staff members. The effect of this resolution is to prevent members of the Judiciary Committee from personally questioning witnesses in what surely is one of the most serious committee investigations of our time.

It is notable that the Judiciary Committee was authorized the first $1 million for its investigation last November 15 and more since and that it has been plodding along for more than 7 months. Now because elections are getting closer, we are faced with the spectacle of the committee imposing a "gag rule" on its members in order to rush through their investigation.

The House Judiciary Committee is only now getting to what many people believe to be the most critically important stage of its investigation; namely, the examination of real-life witnesses on the fundamental issues involved. To deprive the members of the committee the opportunity to actively participate at this juncture is most inappropriate.

An added irony is that this investigation into alleged violations of law and procedure is now seeing an attempt to suspend rules and procedures of long standing in the House of Representatives in the interests of speeding up what may be the critical stage of the proceedings.

I, too, would like to see the investigation speeded up. But I would suggest that evenings or Saturdays—to say nothing of 5 full days a week—this proposal before us is preposterous.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey (Mr. RODINO) that the House suspend the rules and agree to House Resolution 1210.

RECORDED VOTE

Mr. DENNIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 140, not voting 87, as follows:

[Roll No. 356]

AYES—207

Abzug	Dellums	Hutchinson
Adams	Denholm	Ichord
Addabbo	Dent	Jarman
Alexander	Diggs	Johnson, Calif.
Anderson, Calif.	Dingell	Jones, N.C.
Anderson, Ill.	Donohue	Jones, Okla.
Annunzio	Drinan	Jordan
Aspin	Eckhardt	Karth
Badillo	Edwards, Calif.	Kastenmeier
Barrett	Eilberg	Kazen
Bennett	Esch	Koch
Biaggi	Evans, Colo.	Kyros
Bingham	Fascell	Leggett
Blatnik	Flood	Litton
Boggs	Foley	Long, La.
Boland	Ford	Long, Md.
Bowen	Fountain	Luken
Brademas	Fraser	McClory
Breaux	Frenzel	McCormack
Brooks	Fulton	McDade
Brotzman	Fuqua	McFall
Brown, Calif.	Gaydos	McKay
Burke, Mass.	Gettys	Macdonald
Burleson, Tex.	Giaimo	Mahon
Burlison, Mo.	Gibbons	Mallary
Burton, John	Gonzalez	Mann
Butler	Grasso	Matsunaga
Casey, Tex.	Green, Pa.	Mayne
Chappell	Gude	Melcher
Chisholm	Hamilton	Metcalfe
Clark	Hanley	Mezvinsky
Clay	Hansen, Idaho	Milford
Cohen	Harrington	Minish
Collins, Ill.	Hawkins	Mink
Conable	Hays	Mitchell, Md.
Conte	Hechler, W. Va.	Moakley
Conyers	Heckler, Mass.	Mollohan
Corman	Henderson	Morgan
Cotter	Hicks	Mosher
Danielson	Holtzman	Moss
Delaney	Howard	Murphy, Ill.
	Hungate	Murphy, N.Y.
	Murtha	Rodino
	Nedzi	Roncalio, Wyo.
	Nix	Rooney, Pa.
	Obey	Rose
	O'Hara	Rosenthal
	O'Neill	Roush
	Owens	Roybal
	Patman	Ryan
	Patten	St Germain
	Pepper	Sarbanes
	Perkins	Schroeder
	Pettis	Selberling
	Peyser	Shipley
	Pickle	Sikes
	Pike	Slack
	Poage	Smith, N.Y.
	Preyer	Stanton, J. William
	Price, Ill.	Stanton, James V.
	Quie	Stark
	Railsback	Steed
	Randall	Steelman
	Rangel	Stephens
	Rees	Stokes
	Reuss	Stratton
	Rhodes	Studds
	Riegle	Symington
	Rinaldo	Taylor, N.C.
	Roberts	Teague
	Robison, N.Y.	Thompson, N.J.
		Thornton
		Tiernan
		Traxler
		Udall
		Ullman
		Van Deerlin
		Vander Veen
		Vanik
		Vigorito
		Waldie
		Whalen
		White
		Widnall
		Wiggins
		Wilson, Charles H., Calif.
		Wilson, Charles, Tex.
		Wolff
		Wright
		Wydler
		Yates
		Yatron
		Young, Ga.
		Young, Tex.
		Zablocki

NOES—140

Abdnor	Fisher	O'Brien
Andrews, N. Dak.	Flynt	Parris
Archer	Forsythe	Price, Tex.
Ashbrook	Frelinghuysen	Pritchard
Bafalis	Frey	Quillen
Baker	Froehlich	Rarick
Bauman	Gilman	Regula
Biester	Ginn	Robinson, Va.
Blackburn	Goldwater	Roe
Bray	Gross	Roncallo, N.Y.
Brinkley	Grover	Rousselot
Broomfield	Gubser	Roy
Brown, Mich.	Guyer	Runnels
Brown, Ohio	Haley	Ruppe
Broyhill, N.C.	Hammer-schmidt	Ruth
Broyhill, Va.	Harsha	Sarasin
Buchanan	Hastings	Satterfield
Burgener	Helstoski	Schneebeli
Burke, Fla.	Hillis	Sebelius
Burton, Phillip	Hinshaw	Shriver
Camp	Holt	Shuster
Carter	Hosmer	Skubitz
Cederberg	Hudnut	Snyder
Clancy	Hunt	Spence
Clausen, Don H.	Johnson, Pa.	Steiger, Wis.
Clawson, Del	Kemp	Stubblefield
Cleveland	King	Symms
Collier	Lagomarsino	Talcott
Collins, Tex.	Landgrebe	Thomson, Wis.
Conlan	Latta	Towell, Nev.
Coughlin	Lent	Treen
Crane	Lott	Vander Jagt
Cronin	McCollister	Veysey
Daniel, Dan	McKinney	Waggonner
Daniel, Robert W., Jr.	Madigan	Walsh
Davis, S.C.	Maraziti	Wampler
Davis, Wis.	Martin, N.C.	Ware
Dellenback	Mathias, Calif.	Whitehurst
Dennis	Mazzoli	Whitten
Derwinski	Michel	Williams
Devine	Miller	Winn
Downing	Minshall, Ohio	Wyatt
Duncan	Mitchell, N.Y.	Wylie
du Pont	Moorhead, Calif.	Young, Alaska
Eshleman	Myers	Young, Fla.
Findley	Natcher	Young, Ill.
	Nelsen	Zion

NOT VOTING—87

Andrews, N.C.	Dickinson	Johnson, Colo.
Arends	Dorn	Jones, Ala.
Armstrong	Dulski	Jones, Tenn.
Ashley	Edwards, Ala.	Ketchum
Beard	Erlenborn	Kluczynski
Bell	Evins, Tenn.	Kuykendall
Bergland	Fish	Landrum
Bevill	Flowers	Lehman
Bolling	Goodling	Lujan
Brasco	Gray	McCloskey
Breckinridge	Green, Oreg.	McEwen
Burke, Calif.	Griffiths	McSpadden
Byron	Gunter	Madden
Carey, N.Y.	Hanna	Martin, Nebr.
Carney, Ohio	Hanrahan	Mathis, Ga.
Chamberlain	Hansen, Wash.	Meeds
Cochran	Hébert	Mills
Culver	Heinz	Mizell
Daniels, Dominick V.	Hogan	Montgomery
Davis, Ga.	Holifield	Moorhead, Pa.
de la Garza	Horton	Nichols
	Huber	Passman
	Podell	Shoup
	Powell, Ohio	Sisk
	Reid	Smith, Iowa
	Rogers	Staggers
	Rooney, N.Y.	Steele
	Rostenkowski	Steiger, Ariz.
	Sandman	Stuckey
	Scherle	Sullivan
	Taylor, Mo.	
	Thone	
	Wilson, Bob	
	Wyman	
	Young, S.C.	
	Zwach	

So (two-thirds not having voted in favor thereof) the motion was rejected.

On this vote:

Mr. Rostenkowski and Mr. Brasco for, with Mr. Hébert against.

Mr. Podell and Mr. Dulski for, with Mr. Passman against.

Mr. Heinz and Mr. Breckinridge for, with Mr. Montgomery against.

Mr. Bergland and Mr. Dominick V. Daniels for, with Mr. Nichols against.

Mr. Horton and Mr. Kluczynski for, with Mr. Dickinson against.

Mr. Ashley and Mrs. Burke of California for, with Mr. Goodling against.

Mr. Carey of New York and Mr. Carney of Ohio for, with Mr. Scherle against.

Mr. Madden and Mr. Fish for, with Mr. Taylor of Missouri against.

Mr. Holifield and Mrs. Hansen of Washington for, with Mr. Cochran against.

Mr. Reid and Mrs. Sullivan for, with Mr. Martin of Nebraska against.

Mr. Rooney of New York and Mr. Staggers for, with Mr. Steiger of Arizona against.

Mr. Moorhead of Pennsylvania and Mr. Sisk for, with Mr. Young of South Carolina against.

Mr. Meeds and Mr. Hanna for, with Mr. Powell of Ohio against.

Mrs. Griffiths and Mr. Culver for, with Mr. Beard against.

Mr. Gray and Mr. Lehman for, with Mr. Mizell against.

Until further notice:

Mr. Andrews of North Carolina with Mr. Arends.

Mr de la Garza with Mr. Chamberlain.

Mr. Byron with Mr. Edwards of Alabama.

Mr. Dorn with Mr. Bell.

Mr. Evins of Tennessee with Mr. Erlenborn.

Mr. Flowers with Mr. Hogan.

Mr. Bevill with Mrs. Green of Oregon.

Mr. Gunter with Mr. Hanrahan.

Mr. Jones of Alabama with Mr. Kuykendall.

Mr. Jones of Tennessee with Mr. Lujan.

Mr. Landrum with Mr. Mathis of Georgia.

Mr. McSpadden with Mr. Mills.

Mr. McCloskey with Mr. Rogers.

Mr. Sandman with Mr. McEwen

Mr. Shoup with Mr. Smith of Iowa.

Mr. Steele with Mr. Stuckey.

Mr. Zwach with Mr. Thone.

Mr. Wyman with Mr. Bob Wilson.

GENERAL LEAVE

Mr. RODINO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 1210 that was just under consideration.

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

There was no objection.

DELAYING EFFECTIVE DATE OF AMENDMENTS TO FEDERAL RULES OF CRIMINAL PROCEDURE

Mr. HUNGATE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15461) to secure to the Congress additional time in which to consider the proposed amendments to the Federal Rules of Criminal Procedure which

the Chief Justice of the U.S. Supreme Court transmitted to the Congress on April 22, 1974.

The Clerk read as follows:

H.R. 15461

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, not withstanding the provisions of sections 3771 and 3772 of title 18 of the United States Code, the effective date of the proposed amendments to the Federal Rules of Criminal Procedure which are embraced by the order entered by the United States Supreme Court on April 22, 1974, and which were transmitted to the Congress by the Chief Justice on April 22, 1974, is postponed until August 1, 1975.

The SPEAKER. Is a second demanded?

Mr. SMITH of New York. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Missouri (Mr. HUNGATE), will be recognized for 20 minutes, and the gentleman from New York (Mr. SMITH), will be recognized for 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this bill, H.R. 15461.

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

There was no objection.

Mr. HUNGATE. Mr. Speaker, H.R. 15461, the bill now before the House, comes to the floor with the unanimous endorsement of the Committee on the Judiciary. This bill postpones the effective date of certain amendments to the Federal Rules of Criminal Procedure from August 1, 1974, to August 1, 1975.

The Federal Rules of Criminal Procedure, as the name suggests, are the rules that govern Federal criminal trials. These rules apply not only to the trial itself, but they also apply to matters and procedures taking place before trial—such as issuing an arrest warrant—and after trial—such as sentencing. There are presently 63 rules.

The procedure for amending the rules is set forth in sections 3771 and 3772, title 18 of the United States Code. Briefly, these statutes require that the Supreme Court report changes in the rules to the Congress after the start of a regular session, but not later than May 1. Changes become effective 90 days later, all laws in conflict being of no further force or effect.

Acting pursuant to this statutory authority, the Supreme Court transmitted certain proposed amendments to Congress on April 22, 1974. These proposed amendments will take effect August 1, 1974, unless legislation to the contrary is enacted.

The proposed amendments make changes in 10 existing rules and add 3 new rules. Thus, in quantitative terms, the Supreme Court proposes to change nearly 20 percent of the present rules, a significant change.

The proposed amendments are significant for another reason—they affect controversial areas of criminal law and procedure. All segments of the legal profession were invited to comment upon the proposed amendments—judges, prosecutors, defense counsel, law professors, and professional organizations and agencies. The overwhelming majority of replies from these segments were critical of the proposed amendments and suggested changes in them. Only four of the proposed amendments escaped criticism. Several organizations and individuals asked to be heard on the proposed amendments.

It became quite apparent that 90 days was not enough time to do justice to what the Supreme Court had sent over. Some of the proposed amendments had been under consideration for over 4½ years. What takes 4½ years to write deserves more than 90 days to review. H.R. 15461, by delaying the effective date for 1 year, gives Congress ample additional time to study carefully the proposed amendments. The wisdom of postponement has been supported by such diverse groups as the Department of Justice and the American Civil Liberties Union.

I urge a favorable vote on H.R. 15461.

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

Mr. HUNGATE. I would be glad to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I would ask the gentleman does this mean a delay of justice?

Mr. HUNGATE. I would respond to the gentleman from Iowa that what is justice is a question, as the gentleman knows, that frequently arises in the courts, and sometimes receives a satisfactory answer, because what is justice to one may not be justice to another.

We are concerned here with rules that have been in existence for some time, I will tell the gentleman from Iowa.

With the number of people who have contacted us wishing to express their views and have a voice in this before it becomes effective, we think it only fair to give them a chance to be heard before the committee.

Mr. GROSS. We are reminded so frequently, as the gentleman well knows, on the House floor when the lawyers are working up some kind of legislation, of that old adage "Justice delayed is justice denied." I just wonder if this inability to absorb in the 90 days what has been recommended is delaying justice in any way, shape, or form?

Mr. HUNGATE. I appreciate the gentleman's concern. We are hopeful on the committee that this delay will affect justice as time affects good wine.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of New York. Mr. Speaker, I rise in support of H.R. 15461 and wish to fully associate myself with the remarks of the chairman of the Subcommittee on Criminal Justice.

The proposed amendments, sent to us on April 22 by the Chief Justice, make significant changes in the Rules of Criminal Procedur" Because of the importance of som. of those changes, I believe that both Houses of Congress should have ample time to consider them. Although I believe we should act promptly, a maximum 1-year delay in the operation of the automatic effective date, pursuant to sections 3771 and 3772 of title 18 of the United States Code, seems reasonable.

Attorney General Saxbe strongly recommends this 1-year delay in these amendments. In a letter of June 17, 1974, he informed the Judiciary Committee he was offering objection on behalf of 90 of the 94 U.S. attorneys. The Attorney General specifically objects to the amendments to rules 4 and 9 regarding arrest warrants, and rule 16 regarding discovery motions. These objections point up the fact that, while these amendments purportedly affect only "rules of procedure," in fact they have significant effect on the operations of the offices of the U.S. Attorneys and the operations of all the Federal law enforcement agencies.

The amendment proposed to rule 16 for example would require that a Federal prosecutor, before a trial, make known to the defendant and his attorneys the names and addresses of all the witnessess whose testimony will be used in the upcoming trial. As the Attorney General points out, in the prosecution of members of organized crime, witnesses are sometimes in the protective custody of the United States. Is it wise to require the Justice Department to disclose where that witness is being hidden?

Whether it is or not, is a question, along with other questions raised by these amendments, which can only be answered after careful and comprehensive consideration by the Congress.

As the committee report points out, these amendments to the Criminal Rules of Procedure have been under consideration by the Judicial Conference for 4½ years. I urge all my colleagues to support this bill which gives us a maximum of 1 year to consider these amendments.

Mr. RODINO. Mr. Speaker, I rise in support of H.R. 15461, a bill to delay the effective date of certain amendments to the Federal Rules of Criminal Procedure. Unless this bill is enacted, these amendments, which were promulgated by the Supreme Court on April 22, 1974, will automatically go into effect next August 1. H.R. 15461 will merely postpone their effective date for 1 year to August 1, 1975.

This bill is bipartisan. It is sponsored by all nine members of the Judiciary Committee's Subcommittee on Criminal Justice. The bill comes to the floor favorably endorsed by a unanimous Judiciary Committee. Equally important, the goal of this bill is endorsed by diverse segments of the legal profession—for example, the Department of Justice and the American Civil Liberties Union.

The amendments promulgated by the Supreme Court on April 22 change lan-

guage in 10 existing rules and add 3 new rules. The changes raise some serious questions of policy concerning criminal law and procedure. This is reflected in the responses received by the Criminal Justice Subcommittee to its requests for comments on the proposed amendments. All segments of the legal profession—bench and bar, prosecutors and defenders—have criticized one or more of the proposed amendments.

In fact, only four of the proposed amendments have so far escaped criticism. The criticisms made point out the importance of the policy issues involved. For example, the Justice Department argues that the proposed amendment which makes available to defendants a list of the names and addresses of Government witnesses, will make it difficult to get witnesses to criminal acts to come forward and testify and will therefore hamper effective law enforcement. The American Civil Liberties Union argues that the proposed amendment which requires the defense to turn over for inspection and copying certain materials in its possession, deprives defendants of the fifth and sixth amendment rights. Judges have written to complain that the proposed amendment concerning plea bargaining intrudes upon their discretion and responsibilities regarding sentencing. A defense attorney has written and complained that the proposed amendment concerning the taking and use of depositions will deprive defendants of the right to confront their accusors and the witnesses against them.

In short, the proposed amendments raise serious policy questioning that deserve thoughtful and careful study and consideration. Under present law, Congress has 90 days in which to do this. Given the magnitude of the issues involved with these proposed amendments, this is simply just not enough time. This is underscored by the fact that some of these proposed amendments have been under consideration and study for over 4½ years. Proposed amendments which take that long to draft clearly cannot adequately be reviewed in 90 days. H.R. 15461 will give Congress a full year in which to gather facts, hold hearings, and weigh and evaluate each proposed amendment. One year is an adequate period of time within which to perform the task.

Delaying the effective date of the proposed amendments will work no injustice. The case for the proposed amendments is not that they are needed urgently, but that they are desirable. The Federal criminal justice system will operate for 1 more year under rules it has already operated under for several years.

Since H.R. 15461 will give Congress adequate time to consider the proposed amendments without working any injustice, I urge its passage.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri (Mr. HUNGATE) that the House suspend the rules and pass the bill H.R. 15461.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INCREASING LIMIT ON DUES FOR U.S. MEMBERSHIP IN INTERNATIONAL CRIMINAL POLICE ORGANIZATION

Mr. EILBERG. Mr. Speaker I move to suspend the rules and pass the bill (H.R. 14597) to increase the limit on dues for U.S. membership in the International Criminal Police Organization.

The Clerk read as follows:

H.R. 14597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 10, 1938, as amended (22 U.S.C. 263a), is further amended by deleting "$80,000" and inserting in lieu thereof "$120,000".

SEC. 2. The Secretary of the Treasury is authorized to pay to the International Criminal Police Organization the unpaid balance of the dues for the calendar year 1973. There is authorized to be appropriated not to exceed $20,000 to carry out the provisions of this section.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Pennsylvania (Mr. EILBERG) will be recognized for 20 minutes, and the gentleman from Iowa (Mr. GROSS) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. EILBERG).

Mr. EILBERG. Mr. Speaker, the primary purpose of this legislation is to increase from $80,000 to $120,000 the authorized limit on annual dues for U.S. membership in the International Criminal police Organization, commonly known as Interpol.

Passage of this bill is urgently needed if the United States is to satisfy its financial obligations to this important organization. As a result of the existing statutory ceiling of $80,000, the United States has been unable to meet its current dues assessment and a portion of our dues for calendar year 1973 remains unpaid. In addition, we will be unable to pay our full share of dues for 1974.

The primary objective of Interpol, as my colleagues know, is to promote the widest possible mutual assistance and dissemination of information between the 118 participating governments. In addition to collecting, exchanging, storing, and retrieving information on international criminal operations. Interpol also conducts research, prepares reports, and schedules meetings to consider law enforcement issues of international concern.

U.S. participation in this organization commenced in 1938 when the Justice Department through the FBI became the first U.S. representative to Interpol. In 1958 the Treasury Department was officially designated to serve as the U.S. representative to Interpol.

The increased authorization is necessitated by an increase in membership dues from $48,670 to $91,251 in 1972. This increase in dues resulted from: First, formal increases voted by the General Assembly of Interpol; and second, a decrease in the value of the U.S. dollar in the International money market. An additional 21 percent increase is expected to be voted by the General Assembly in September of this year which will raise the annual U.S. dollar equivalent in dues to $117,420 at the current exchange rate. The vote increases will enable Interpol to meet its rising expenses and to improve and expand its existing facilities.

In other words, the proposed legislation is designed to permit the payment of unpaid dues for 1973, the full payment of dues for 1974 and the expected increased dues to be effective in January 1975.

The Department of the Treasury has indicated to the committee on several occasions the need for, and value of, U.S. participation in Interpol. This organization has provided immeasurable assistance in combating smuggling, counterfeiting, and forgery. Likewise, this committee has found Interpol's services to be extremely valuable in controlling the international drug traffic.

The bill was approved by the Judiciary Committee unanimously on June 24.

Furthermore, in 1971 this committee and the House of Representatives unanimously approved smilar legislation to increase the annual authorized expenses for membership in Interpol. I urge my colleagues to approve this needed legislation which will enable the United States to fulfill its financial commitment to this vital organization.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. WIGGINS).

Mr. WIGGINS. Mr. Speaker, the issue before us today is whether to suspend the rules so as to authorize the United States to maintain its membership in Interpol and to pay the increased dues which are required if the United States is to maintain that membership.

We are talking about a very modest sum of money. The increase for the calendar year is $20,000 approximately and to maintain that membership in future years will require a further increase of another $20,000. In total, above the present level, an increase of $40,000 is requested in this legislation.

For that modest conrtibution, Mr. Speaker, the United States gains the benefit of an enormously valuable intelligence network. Interpol, it is to be remembered, is not a police agency and it does not conduct investigations nor does it have the power of arrest. Interpol is an agency created for the purpose of collecting intelligence data and making that information available to its member agencies. The United States has been a member for a number of years. It would be a tragedy of course if we were not to continue that membership. For the money involved in this bill the House should indeed suspend the rules and pass the proposed legislation.

Mr. Speaker, I rise in support of this

bill, and wish to concur with my colleague and subcommittee chairman, Mr. EILBERG in urging favorable action on H.R. 14597. He has set forth several reasons justifying prompt enactment of this bill. This bill was requested by the Department of Treasury, the agency that represents this country to Interpol. The Department points out tht since dues are denominated in Swiss francs, recent changes in the exchange rate have added to the annual cost of the United States in terms of U.S. dollars.

I wish to point out that as a result of the formula whereby various member nations are asessed for Interpol dues, the United States share is only 6.4 percent of the total Interpol budget, and is the same amount paid by France, Germany, Italy, and the United Kingdom as their dues. This appears to be a very equitable arrangement, particularly in light of our heavy assessments from other international organizations. Of course, the Congress retains its right to review this matter annually in connection with the Treasury Department's annual budget request.

This bill was reported by our committee by a unanimous vote, and I am pleased to join with Mr. EILBERG in urging passage of this legislation.

Mr. EILBERG. Mr. Speaker, I have no further request for time.

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

Mr. Speaker, as I understand the bill it provides—and I ask the gentleman from Pennsylvania if I am correct—for an increase of one-third, in other words from $80,000 to $120,000, a $40,000 increase in the U.S. contribution to the dues and assessments of this international organization, and it also provides $20,000 for unpaid dues of some kind.

Was that an increase that was voted and we did not have the money to meet it or what caused the request for $20,000?

Mr. EILBERG. Mr. Speaker, if the gentleman will yield, the fact is that dues were increased but we were not authorized to pay more than $80,000. In fact, we are delinquent a portion of our 1973 dues and our dues for this year would be $97,000.

The prospective dues for 1975 would be approximately $117,000.

Mr. GROSS. I notice that we pay in Swiss francs. Why?

Mr. EILBERG. This is an international organization.

Mr. GROSS. Why not French francs? Why Swiss francs?

Mr. EILBERG. I am not able to state the reason, but from general information I would say Swiss francs are more stable than French francs. A few years ago the Swiss franc was at 25 cents in U.S. money. Today it is equal to 35 cents as a result of the devaluation of the dollar.

Mr. GROSS. Who determines the amount of increase in the total budget of this international organization, and the amount of increase for the United States? Who does this and where?

Mr. EILBERG. There are 118 member countries that participate. The headquarters is located in a suburb outside of Paris. The General Secretariat is in St.-Cloud, just outside of Paris. The assembly meets there. That is their world headquarters.

Mr. GROSS. So 118 world organizations meet and fix the fees and dues and then we fall in line and provide the money; is that the story?

Mr. EILBERG. Yes, that is right; but I would also say to the gentleman that this is an area where we are really getting our money's worth. We are responsible for well over 25 percent of the requested information, but we pay only 6 percent of the total budget. It is a case where we get a great deal more out of it than we are paying.

Mr. GROSS. I thought it was to the contrary, that there were more requests upon the United States than the United States made upon the organization.

Mr. EILBERG. In the fiscal year 1973 there were 3,918 requests for information made to Interpol Washington. Of that amount, 1,098 were initiated by United States law enforcement agencies.

Mr. GROSS. Well, I note that the language at the bottom of page of the report seems to be ambiguous:

> The Committee continues to believe that some limitation ought to be imposed on the amount which the United States is authorized to pay as dues to his organization in order to insure that legislative control over this budgetary item is not meaningfully diminished.

What does that language mean?

Mr. EILBERG. Well, we do want to place some limit on the amount of dues and the limit we are suggesting is $120,000. We want to be able to review it periodically.

Mr. GROSS. It certainly is not going to be meaningfully diminished by the United States under any conditions, is it? We are going to go right on paying. I suspect we are putting in more than most of the 118 organizations.

Mr. EILBERG. I would say to the gentleman that the contribution of the United States is going to be matched by France, Germany, Italy, and the United Kingdom. Certainly in proportion to their population we might call upon them to pay more than we are paying or are supposed to be paying.

Mr. GROSS. I would hope it would not be predicated on the allegation that we are a fabulously rich nation and that we can continue to support these international organizations out of all proportion to the support given by others.

Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania (Mr. EILBERG) that the House suspend the rules and pass the bill H.R. 14597.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 14597) just passed.

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

There was no objection.

EXTENDING THE EXPIRATION DATE OF THE EXPORT-IMPORT BANK ACT OF 1945

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the Senate Joint Resolution (S.J. Res. 218) to extend by 30 days the expiration date of the Export-Import Bank Act of 1945.

The Clerk read as follows:

S.J. RES. 218

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Export-Import Bank Act of 1945 is amended by striking out "June 30" and inserting in lieu thereof "July 30".

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

Mr. ROUSSELOT. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman from New Jersey opposed to the resolution?

Mr. WIDNALL. No, I am not.

Mr. ROUSSELOT. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman from California opposed to the resolution?

Mr. ROUSSELOT. I am, Mr. Speaker.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

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

Mr. Speaker, the Export-Import Bank is very important, yes, essential, to the earnings and employment of approximately 800,000 Americans who participate in the production and sale of U.S. goods to foreign buyers with the help of Export-Import Bank financing. In addition, even though Export-Import Bank year after year receives no appropriations from the taxpayers, it has generated earnings which have resulted in the payment of $835 million in dividends to the Treasury and $1.5 billion in retained earnings. This it has done through receipt of interest on its loan, and of premiums on its guarantees and insurance. Last year the Bank earned $140 million and repatriated $50 million in dividends to the Treasury.

Less than 30 percent of the Bank's authorizations last year went for direct loans. These loans currently are made at the rate of 7 percent and match, dollar for dollar, funds made available by private institutions up to a maximum of 45 percent of the value of the U.S. exports involved. The sheer availability of financing and the flexibility to adapt it

to the requirements of an export sale and the cash flow the export will produce for the foreign buyer are essential to fulfill the congressional mandate imposed in 1971. The Congress directed the Bank to back American exporters with financing comparable with that available to their competitors abroad. It is this availability and flexibility which is now in jeopardy in that, in the absence of the extension authorized in Senate Joint Resolution 218, all commitments involving the Export-Import Bank must be held in abeyance in the face of stiff foreign competition.

The matter of interest rates charged by Export-Import Bank is one which will again be extensively reviewed by the Committee on Banking and Currency in its consideration of extension and amendment of the basic authority for the Bank, the Export-Import Bank Act of 1945. Because it is the aim of the Bank both to compete and to operate at a profit, its overall cost of money is a prime factor in setting its interest rate. Presently, its Treasury borrowings cost overall 7.5 percent; its debentures on the private market, 6.5 percent; and its participation certificates, 5.1 percent. The weighted average cost of all the money used by the Export-Import Bank is 6.8 percent, which is less than its current lending rate of 7 percent. Consideration by the Committee on Banking and Currency of the matter of Export-Import Bank policy will be taken up after the Congress returns from the July 4 recess, following which the membership of the full house will have an opportunity to review the work of the committee on this matter.

In the meantime, there is no reason why the ongoing activities of the Bank on behalf of American exporters, who generate so much employment and income in our economy, should be disrupted.

Mr. Speaker, I urge adoption of Senate Joint Resolution 218.

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

Mr. PATMAN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I just want to ask the gentleman from Texas this question: Is it not true that the Eximbank, which I think was established in 1945, has only lost one-eighth of 1 percent over the prior period of its existence?

Mr. PATMAN. No more than that, I am sure.

Mr. BARRETT. No more?

Mr. PATMAN. And that is an excellent record.

Mr. BARRETT. Is it not also true that every dollar lent by the Eximbank must be spent for an American product?

Mr. PATMAN. Not only is the money borrowed from the United States and interest paid on it, but it must be used to purchase goods here, so the United States profits two ways, on the interest on the money and also on the fact that we get profits for the goods that are sold in return for this money that was borrowed, and this creates jobs.

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

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. Is it not true that the Eximbank made a loan or loans to the Japanese, who bought planes from this country that were then sold to Scandanavian or British operators who are running cut-rate air service across the Atlantic and jeopardizing American operators?

Mr. PATMAN. I am not familiar with the situation the gentleman asks about.

Mr. GROSS. You are not acquainted with it?

Mr. PATMAN. I am not acquainted with that particular situation.

Mr. GROSS. I assure the gentleman that the situation does exist.

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

Mr. PATMAN. I yield to the gentleman from Missouri.

Mr. ICHORD. I think it was 2 years ago that the gentleman from Missouri asked the gentleman from Texas about what I considered an abuse of lending authority by the Export-Import Bank, and that was when the Pan American Airlines were forced to issue, through the Chemical Bank of New York, bonds bearing interest at 11⅛ percent. The bonds were sold at par in order to buy 747 airplanes.

At that time, I pointed out the fact that foreign airlines in competition with Pan American and TWA could purchase the same 747's with the use of Export-Import Bank money at 6 percent, and that this constituted unfair competition for American companies.

Would the gentleman tell me as to whether anything has been done about that abuse of authority on the part of the Export-Import Bank?

Mr. PATMAN. I wonder whether the gentleman appeared before the Committee on Banking and Currency and whether that question was brought up?

Mr. ICHORD. I not only appeared before the Committee on Banking and Currency; I asked that question of the gentleman 2 years ago. The gentleman stated that the committee would look into the matter. I am wondering whether the committee has taken any action in regard to it.

Mr. PATMAN. If the gentleman asked that it be considered by the subcommittee, that is where the hearings would have been held. I am assuming the gentleman took it up with them, and we have had a hearing, probably.

Mr. ICHORD. Let me say to the gentleman from Texas that no action has been taken on the legislation to renew the authority of the Export-Import Bank. We have known since 1971 that the authority of the Export-Import Bank would expire on June 30, 1974, and here it is July 1, 1974, and no action has as yet been taken by the Committee on Banking and Currency.

Mr. PATMAN. Well, Mr. Speaker, there is a reason for that. This is one of the best agencies I have known Congress to create.

Now, no person ever misses what he has never gotten used to. But when people get used to things, they will miss them. If we do business with a foreign country which does not have the conveniences we have in America and they are unable to get some of those conveniences in the way and the manner that we have outlined here by using our credit, after paying for it and paying for the purchase of our goods at a reasonable profit, that helps us and it helps the people who have never gotten used to these goods and services.

Therefore, it is in the direction of real peace in the world. The more countries like this that we deal with, the better relations we will have with the different countries of the world with whom we deal. Therefore, this is in the direction of real peace, and I hope that the gentleman would not stand back and rely on just one illustration which we have not had an opportunity to go into. It was not brought up, so far as I know. There is no reason the gentleman could not bring it up right now.

Mr. ICHORD. Mr. Speaker, if the gentleman were not bringing this up for consideration under suspension of the rules, the gentleman from Missouri could submit an amendment seeking to curb the action we have described. Under this procedure, he cannot.

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

Mr. PATMAN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Speaker, what we are asking for here today is an extension for 30 days, and I am quite sure that the chairman of the committee is contemplating bringing the bill to the floor about 2 weeks hence.

If there are any such complaints or any information that would be beneficial to this committee, these gentlemen who are now indicating some of these things were overlooked will have an opportunity to come before the committee and edify the committee on the basis of what they think should be corrected in this type of legislation.

Mr. PATMAN. Mr. Speaker, I admire the gentleman from Missouri (Mr. ICHORD) very much. He is a very fine Member of Congress.

I want to invite the gentleman now to come before us. We will have a hearing on this subject. This extension only goes for 30 days. We will have full and complete hearings before the Committee on Banking and Currency, and we will allow the gentleman all the time he wants in which to present his issue.

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

Mr. PATMAN. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Speaker, the gentleman pointed out that if we can continue giving cheap credit abroad, we can get the foreigners used to some of the conveniences we have in America, and we can get them to buy our products and this helps American business.

Would this not be also true of the millions of Americans who do not have

these conveniences and would love to be able to buy these products and, if they bought them, would this not help American business?

Why do we have to subsidize loans to business abroad and consumers abroad in order to sell American goods when the average American consumer cannot get the goods he needs?

Mr. PATMAN. Mr. Speaker, I will say to the gentleman that there is no subsidy in this. That is one benefit from this.

Mr. LONG of Maryland. Mr. Speaker, I will point out there is a 7-percent amount provided for.

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

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, this is a subsidy. The Export-Import Bank subsidized sales at 6-percent interest. In any language it is a subsidy.

Mr. PATMAN. This is not a subsidy.

Mr. GROSS. Mr. Speaker, I doubt that the gentleman from Texas, as adroit as he is, could convince even a Texan that this is not an outright subsidy operation.

Mr. PATMAN. It is not a subsidy, by any means.

Mr. GROSS. Of course, it is.

Mr. PATMAN. Mr. Speaker, we all know that interest rates are going higher all the time, which is a disgrace.

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

Mr. PATMAN. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Speaker, the gentleman has just pointed out that the interest rates in this country are very, very high. In fact, the gentleman is one of the leading fighters in behalf of lower interest rates and cheap capital for American business.

Yet, with these loans abroad at interest rates far below what American business can borrow at, we certainly export American capital and we certainly, therefore, make American capital more scarce and we, therefore, make American capital more expensive. That is one of the leading reasons why American capital is being loaned at such very high rates to American business; is that not so?

Mr. PATMAN. Mr. Speaker, no one has charged, not even the most severe critics, that in no case have any of these loans gone at more than four-tenths of 1 percent on certain deals. That is a very small amount of interest.

The main thing is we are not getting interest on the money, our people are, but they are getting a profit on the goods, and this gives people jobs. That is the reason we have 800,000 more people working today by reason of the loans made by the Export-Import Bank. This is a great benefit for people who work. It would be a calamity if we did not have this, it would be detrimental to our country. This will benefit our country and keep those people working. Who wants to vote to discharge 800,000 people in this country? Well, if you vote against this bill then you vote in that direction.

Mr. LONG of Maryland. Mr. Speaker, if the gentleman will yield further, what I am trying to point out the the gentleman from Texas, and the gentleman does not seem to recognize it, that capital is becoming very scarce in the United States, so that if we lend it to American business it would be of great benefit.

The SPEAKER. The time of the gentleman has expired.

Mr. PATMAN. Mr. Speaker, I reserve the remainder of my time.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. YATES. 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. 357]

Andrews, N.C.	Evins, Tenn.	Mathis, Ga.
Archer	Fish	Meeds
Arends	Flowers	Mills
Armstrong	Fraser	Mizell
Bell	Fulton	Montgomery
Bergland	Goodling	Moorhead, Pa.
Bevill	Gray	Nichols
Bolling	Green, Oreg.	O'Brien
Brasco	Griffiths	Parris
Breckinridge	Gunter	Passman
Burke, Calif.	Hanna	Pike
Byron	Hanrahan	Podell
Carey, N.Y.	Hansen, Wash.	Powell, Ohio
Carney, Ohio	Hébert	Rees
Chamberlain	Heinz	Reid
Cochran	Holifield	Rooney, N.Y.
Conyers	Holtzman	Rostenkowski
Culver	Horton	Scherle
Daniels,	Huber	Shoup
Dominick V.	Johnson, Colo.	Sisk
Davis, Ga.	Jones, Ala.	Smith, Iowa
de la Garza	Jones, Tenn.	Smith, N.Y.
Dellums	Ketchum	Steele
Derwinski	King	Steiger, Ariz.
Dickinson	Kuykendall	Stuckey
Diggs	Landrum	Sullivan
Dorn	Lehman	Taylor, Mo.
Drinan	Lujan	Thone
Dulski	McCloskey	Udall
Eckhardt	McEwen	Wyman
Edwards, Ala.	McSpadden	Young, S.C.
Erlenborn	Madden	Zwach
Esch	Martin, Nebr.	

The SPEAKER. On this rollcall 337 Members have recorded their presence by electronic device, a quorum.

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

Mr. ROUSSELOT. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BURGENER).

Mr. BURGENER. Mr. Speaker, I thank the gentleman for yielding. I think it might be the better course of wisdom to let this authority lapse for awhile.

I would like to refer to an excellent editorial, in my opinion, in the Wall Street Journal of Friday, June 28. And submit this editorial for the RECORD.

[From the Wall Street Journal, June 28, 1974]

A LONG LOOK AT THE EX-IM BANK

The authority of the Export-Import Bank expires today, which simply means that until Congress renews its authority the bank cannot make new loan commitments. How nice it would be if Congress took its time, say a year or two, before acting one way or another. It might even find that U.S. economic interests would be served by liquidation of the bank, which by our reckoning stays in business by sleight of hand and covert use of the taxpayers' money.

After all, the only thing the bank really does is subsidize exports. No matter how you slice it, it is a subsidy to provide 7% money to finance sale of a widget or an airplane to Ruritania or a computer to the Soviet Union, when an American businessman can't finance purchase of either for less than 11¾%. The bank gets privileged rates in the private capital market because the United States puts its full faith and credit behind the loans. Why the U.S. government should give the Ruritanian businessman a sweetheart deal that it won't give an American, save those at Lockheed, is beyond us.

The alleged economic justification for the bank's operation, which Ex-Im Bank Chairman William J. Casey pushes with great fervor, is that it improves the U.S. balance of trade. Granted, an export is an export. But Mr. Casey would have us look at only one side of the transaction. There's no way he could persuade us that wresting capital away from Americans, then forcing it abroad through the subsidy mechanism, does anything but distort relative prices, misallocate resources and diminish revenues with zero effect, at best, on the trade balance.

Sen. Lloyd Bentsen of Texas sees part of the economics when both sides of the transaction are analyzed. He has an amendment that "would prevent Ex-Im financing of those exports involving the financing of foreign industrial capacity whenever the production resulting from that capacity would significantly displace like or directly competitive production by U.S. manufacturers." He has in mind Ex-Im's subsidizing of a foreign textile or steel plant that competes with its U.S. counterpart, to the detriment of our balance of trade.

Senator Bentsen thinks it's okay to subsidize finished products, like airplanes, which the Ex-Im Bank does plenty of. But Charles Tillinghast Jr., chairman of TWA, doesn't like the idea. He says TWA is losing piles of money flying the North Atlantic against foreign competitors who bought Boeing 747s and such with subsidized Ex-Im's loans. If TWA got the same deal, it would save $11 million a year in finance charges. Mr. Tillinghast is currently pleading for a government subsidy so he can continue flying the North Atlantic and providing revenues in support of, ahem, our balance of trade.

Even if Ex-Im Bank subsidized only exports of goods and services which could not conceivably come back to haunt us directly, we see adverse economic effects. Subsidizing the export of yo-yos to the Ruritanians gives them a balance of trade problem that they correct by subsidizing the export of pogo sticks to us. Taxpayers both here and in Ruritania are thereby conned by this hocus pocus into supporting lower prices for yo-yos and pogo sticks than the market will support. In fact, all our trading partners have their own Ex-Im Bank to achieve exactly this end.

Two and three decades ago, when the Ex-Im Bank was a modest affair, its impact was relatively trivial. Now, it has $20 billion of lending authority and is asking Congress to bump this to $30 billion. By 1971, its impact on federal budget deficits had grown so large that Congress passed a special act taking the bank's net transactions out of the federal budget, so the deficit would *look* smaller. But the transactions have the same fiscal effect as a deficit, and the same drain on the private capital market. In the fiscal year just ending, the bank took $1.1 billion out of the capital market. In the next fiscal year, it expects to take $1,250,000,000 out of it.

There being no economic justification for the bank, Congress should feel no qualms about letting its authority lapse for a few years to watch what happens. The Russians,

eager to continue getting something for nothing through the Ex-Im Bank, would be mildly unhappy. But they'd adjust by getting into the private capital markets with the underprivileged. We'd be surprised, too, if our trading partners didn't follow suit by scrapping these nonsensical subsidies. And if they don't, why should we complain about their taxpayers sending us subsidized pogo sticks?

They recommend letting the authority for the Export-Import Bank lapse for a "few years." I do not believe I would go quite that far, but I think that if this House did not extend the authority for 30 days it might bring an urgency for the House to more carefully examine the benefits and the demerits of the Export-Import Bank.

I do not believe it would put them out of business, but I think for a period of some time they would not be able to make any new loan commitments. This bank does, indeed, take capital out of our system.

The president of TWA makes a rather compelling case when he points out that that great airline alone is losing $11 million a year in finance charges because it cannot compete with the interest rates of foreign airlines who can borrow money at 7 percent from the Export-Import Bank, to pay for their aircraft, while American carriers have to pay 12 or 13 percent.

I think, Mr. Speaker, for these and other reasons, a failure to extend at this time will bring an urgency to the committee to have early and comprehensive hearings and to therefore make a more orderly and informed decision.

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

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

Mr. KEMP. Mr. Speaker, I would like to congratulate the gentleman on his statement and associate myself with his remarks.

Mr. Speaker, I rise in opposition to the extension of the Export-Import Bank—Eximbank—proposed by the resolution before us.

I cannot support that particular resolution, not because I am opposed to trade or the export of American products, but rather because of specific matters associated with this issue, the Bank, and its recent mode of operation. Also, this bill should be brought up under an open rule, so the House can work its will.

I am not opposed to enhanced commercial trade relations with Communist countries, provided that such trade is in nonstrategic goods; that such trade is not subsidized by the American taxpayers—something which occurs when Eximbank loan credit guarantees are at an interest rate less than that paid when funds are borrowed by the U.S. Government in order to insure such loan guarantees; and, that such trade is on financial terms consistent with our own needs for gold or hard cash.

I am opposed, however, to those particular trade deals now being negotiated with the Soviet Union by the Eximbank for the express purpose of further developing Soviet Russian energy resources. I see no need to help the Soviet Union develop its own energy resources with American capital, when we do not even have enough energy developed for ourselves. American dollars would be better spent in building our own self-sufficiency in the oil and gas field—in providing enough energy for our own needs.

I am also opposed to the cavalier ways in which Eximbank and their administration have treated the clear intent of Congress. Congress has declared that no loan guarantee be made to a nonmarket—Communist or socialist—economy country unless a specific determination has been made by the President that it is in the best interest of the United States—not the best interest of that foreign power—to make such a guarantee. A recent ruling of the Comptroller General has restated this position—this intent of Congress.

Yet, Eximbank has made several massive loan guarantees to the Soviet Union and other Communist countries this year without such a specific determination by the President. In one recent case, a specific determination was made by the President, but even that determination files in the face of the strongly-stated House position that no further trade should be instituted until the Soviets guarantee the right of emigration to their citizens and in the face of the determined position of the Senate to similarly couple such trade with a relaxation of internal restraints on individual liberties.

Until the pending Trade Reform Act has been passed, these proposed trade deals with Communist countries ought to have been simply put into a state of abeyance. But, Eximbank has proceeded at full speed. It should be held accountable for such disregard of the intent of Congress—and rejection of the resolution before us is an effective way to do so.

It is also within the purview of the Congress—in exercising its oversight role—to examine the quality of judgment being exercised within Eximbank in the making of loans too.

In addition, I think the flow of investment capital—badly needed here in our own country—to the economies of other countries is bad policy.

As pointed out in an editorial last week in the Wall Street Journal, there is no way in which wresting capital away from Americans, and then forcing it abroad through Eximbank subsidies, does anything but distort relative prices, misallocate domestic resources and diminish revenues, with a zero effect, at best, on the trade balance.

Eximbank policies, as now being carried out, would significantly displace exact or similar competitive production in the United States. What Eximbank is doing is giving—with American tax dollars—an unfair advantage to the Communist controlled economies—to the clear detriment of the American labor force. And, we are talking about no small amount of capital misallocation. Last year alone, Eximbank took $1.1 billion out of the domestic capital market, and this year it is expected to take out another $1.25 billion.

There is an additional reason why I oppose the enactment of the resolution before us: It was brought up under suspension of the rules, a procedure which precludes any amendments being offered, thereby denying to the majority in the House—as expressed through its floor debate and amendments—any chance to amend the bill. This matter should have been brought to us under a rule which permitted the Members to work their will.

The Congress has an important role to exercise in this subject area. Article 1, section 8, of the Constitution itself gives to the Congress the power "to regulate commerce with foreign nations." That power is being properly exercised when the Congress works its will on the terms under which U.S.-supported Eximbank guarantees to foreign nations will be made. We should have that opportunity.

For these reasons, Mr. Speaker, I urge the rejection of this resolution.

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

Mr. ROUSSELOT. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GAYDOS).

Mr. GAYDOS. Mr. Speaker, I rise in opposition to the 30-day extension. The reason for my opposition is most clearly set forth in an editorial which appeared in the Pittsburgh Press on May 26, 1974.

Mr. Speaker, I would like to read the editorial at this time:

[From the Pittsburgh Press, May 26, 1974]

FOREIGN AID TO RUSSIA

In a foolish and unnecessary foreign-aid blunder, the Nixon administration has granted an $180 million loan to the Soviet Union to help finance a huge fertilizer complex there.

The loan was made by the Export-Import Bank on instructions from President Nixon.

It carried the bargain interest rate of 6 percent. Six percent at a time when the cost credit-worthy American corporations must pay about twice as much to borrow money:

In an effort to justify its dubious deal, the Ex-Im Bank points out that the credit will help U.S. companies export $400 million in goods for the fertilizer project an eventually will bring "needed fertilizer to the U.S."

All that may be true but it misses a basic point:

By granting credit to the Soviet Union at half the rate charged domestically and to many friendly countries, the U.S. taxpayer is subsidizing and giving foreign aid to the Kremlin's industrial base.

There is nothing wrong with expanding trade with Moscow in nonstrategic items. But financing that trade with long-term loans at sweetheart rates is indefensible.

It may be news to the White House, but it isn't to U.S. intelligence agencies, that the Soviet Union can well afford to pay cash or to arrange for normal commercial credits for what it wants to buy in this country.

Russia is a major exporter of oil and oil products to hard-currency areas.

It will get a windfall profit of $1.5 billion to $2 billion in 1974 from the fourfold boost in crude prices imposed by the Arab oil cartel.

With commodity prices setting records, Moscow will earn extra billions through its extensive timber, gold and diamond exports.

Since mid-1973, it has sold $2 billion to $4 billion in weapons to Egypt and Syria,

these sales financed by Saudi Arabia and paid for in hard currency.

This means that while the Soviet Union would like bargain credits from the United States if we are stupid enough to grant them, it can and will pay cash to countries with backbone in their trade policies.

Russia tried to pull an "Ex-Im" type deal on West Germany for an iron and steel combine in Kursk. But when Bonn remained firm, Moscow agreed in March to pay $1 billion in cash for the project.

Similarly, it is paying $48 million in cash to a British firm for a new plastics plant.

Only this month the Soviet Union gave Argentina $600 million in credits for a vast electric power project.

Can anyone explain why Russia should get a $180 million loan from the United States when Russia can afford to lend Argentina $600 million?

Obviously, something is very wrong.

Either the White House doesn't know how to do business with Russia (remember the wheat deal?) or Mr. Nixon is so eager to make his visit to Moscow next month a success that he is giving away the store.

Whatever the reason, the Ex-Im giveaway should be blocked by Congress.

Why subsidize a foreign power that is basically inimical to America's future, freedoms and friends?

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. WIDNALL).

Mr. WIDNALL. Mr. Speaker, I am amazed that some of my colleagues who are champions of the free enterprise system are objecting to a 30-day extension of the Export-Import Bank of the United States. These champions of American business and labor should be the very ones to support a Government institution with the record that this Bank has achieved in assisting the economy of this country and helping to maintain a strong dollar, while at the same time making a profit on its operations so that it returns money to the U.S. Treasury each year.

This is the institution which through loans, guarantees, and insurance has supported over $70 billion of U.S. export sales during its life.

This is the institution which supported about $12.4 billion of U.S. export sales this last fiscal year.

This is the institution which helps to sustain over 700,000 full-time American jobs each year right here in this country.

This is the institution whose programs have produced over $16 billion in tax and other revenues to the Federal Government and to the revenues of our State and local governments all across this country.

This is the institution which has enabled American business to derive over $5 billion in profit from export sales.

This is the institution which, without using any appropriated funds, earns a profit for the taxpayers of about $120 million each year.

This is the institution which has returned to the Treasury from those profits some $906 million during its lifetime.

This is the institution which in just the last 5 years has contributed some $13 billion to the U.S. balance-of-payments position.

Mr. ROUSSELOT. Mr. Speaker, I yield to the gentleman from Ohio (Mr. ASHBROOK).

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

I merely want to point out to my good friend, the gentleman from New Jersey, that it is rather interesting to associate the Export-Import Bank with the free enterprise system. If we believe in free enterprise, where in the world do those in business get a 6-percent interest rate right now? If we believe in free enterprise, I guess we have to consider the question of supply and demand which the Export-Import Bank is not. I favor the Bank but believe we must limit loans which result in unfair competition against American industry or business.

I merely want to point out one aspect. There are so many factors that go into this ledger balance argument. It is like the balance-of-trade question. One does not know what to believe in any more. On the plus side the Government counts subsidies and sales for impounded currency. There are cases where the money never comes back and yet it is counted on the plus side. Does Ex-Im do this. Unless one takes a good hard look, he does not know what is the truth when it is claimed as the gentleman from New Jersey claims the Bank makes money.

Let me quote one sentence from the editorial from the Wall Street Journal that has already been put into the RECORD:

> But Charles Tillinghast, Jr., Chairman of TWA, doesn't like the idea. He says TWA is losing piles of money flying the North Atlantic against foreign competitors who bought Boeing 747's and such with subsidized Ex-Im's loans. If TWA got the same deal, it would save $11 million a year in finance charges.

Is that free enterprise? Does it make sense to guarantee 6 percent loans when the Government pays 10 or 11 percent?

Mr. ROUSSELOT. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Speaker, I also rise to oppose the extension of the Export-Import Bank program.

Export-Import loans rob the United States of capital, and of course the scarcer the capital, the higher become domestic interest rates. The Export-Import Bank's operations thus contribute to our high interest rates. Export-Import Bank loans have the same deleterious effect as deficit spending.

Despite what has been said, loan reschedulings and delinquent loan payments are substantial, without over $250 million in delinquent payments, and over $350 million in reschedulings from fiscal year 1969–December 31, 1973.

Through more than $500 million in approved pending loans, the Eximbank has been subsidizing the Russian military buildup and through the new 10-year pact with the Soviet Union that the President proposes, we can expect Exim loans to the Soviet Union to continue to contribute to the Russian arms race, which the Russians might otherwise have to slow down.

Increased Russian defense expenditures in turn force us to spend more on our own national defense.

The Export-Import Bank has also been the principal instrument for financing the export of nuclear technology, having made 72 loans and financial guarantees totaling almost $3 billion for over 14 countries—many of whom are no great friends of ours.

Finally, the Eximbank has financed over $3.9 billion in arms purchases to many countries—notably Iran, which has taken the lead in raising oil prices.

Can we call the activities of the Export-Import Bank free enterprise? If free enterprise means anything, it means borrowing money without any kind of Government help. The Export-Import Bank's loans are Government-subsidized and at lower rates of interest than anybody in this country can borrow.

The Congress should vote down this extension and any future extension of the Eximbank in order to examine more closely the effects of the Bank's operations on our economy.

Mr. BROWN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. LONG of Maryland. I yield to the gentleman.

Mr. BROWN of Michigan. Mr. Speaker, the gentleman said before that these loans are made without proper interest rates. Any entrepreneur in this country who wants to get the same rate of interest can do it. All he has to do is buy exports from West Germany, Japan, or what have you, because basically, the interest rates are the same. The Export-Import Bank is not going astray in the international market.

Mr. LONG of Maryland. Does the gentleman know any place in the United States where a businessman can borrow money at 6 percent or 7 percent?

Mr. BROWN of Michigan. One can get a credit from West Germany.

Mr. ROUSSELOT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Mr. Speaker, when I came to the floor today, I had every expectation of voting for this legislation. I have changed my mind, and I will tell the Members why. The matter involving TWA and Pan Am is what did it.

We have two American airlines which are losing money. They pay for their airplanes at the going rate of interest. I do not own a dime's worth of Pan Am stock or bonds or anything else, but I will point out that at the moment Pan Am has floated bonds at 10½ percent interest, and they pay for their airplanes with that money presumably.

Now, what about the foreign airlines which are getting Export-Import Bank loans? They got theirs at 6 percent. We might say that is a boon to American business. But they are subsidized by their governments besides, and they are driving the American flagship lines right off the North Atlantic and right out of international runs all over the world.

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

Mr. HAYS. I would be delighted to yield.

Mr. ASHLEY. Mr. Speaker, let us find out about this. It is one thing to expect Pan American to fly American-made aircraft; it is another thing to take it for granted that the British, the Australians, South American, and other countries will buy American aircraft.

Mr. HAYS. They will only buy American aircraft when they cannot get them anywhere else, and that day is over.

Mr. ASHLEY. Exactly. They can buy airplanes from somebody else. That is why the United States must offer competitive rates, terms, and other conditions.

Mr. HAYS. Mr. Speaker, they are going elsewhere now, and I suppose before it is over, either the Export-Import Bank or some other institution will lend them money at cut rates. That is all right if they want to do that, but they are not going to do it with my vote.

Mr. ASHLEY. The question is whether or not we are interested in the export sale of American aircraft.

Mr. HAYS. We are interested in sales, that is right, but I am not interested in the export sale of American aircraft in order to put American airlines out of business.

Mr. ROUSSELOT. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, I will say to the Members that I know 20 minutes is not enough time in which to discuss this very serious issue.

I thought that I would concentrate on one issue alone. I have here a tally sheet of the loans made to Soviet Russia alone. I doubt if there is any Member in the room, including the sponsor of the legislation and including any member of the committee, who can name the loans, tell us what they were made for, when they were started to be made to the Soviet Union, and what the average rate of interest is. If there is any such Member, I will give him my time.

Let me point out just one. Here is one little, tiny outfit. The largest single truck plant in the whole world is the Kama River plant. This is $342,120,000 in American money, and the first initial contribution at the beginning was for $153,-950.000.

Speaking about the airplanes, that is the simplest thing in the world to answer. The only reason they buy their airplanes here is because this is the only country on the face of the Earth that gives them unlimited group end party rights in the United States, the right to pick up their charter here, pick up American citizens here, take them to their native country or wherever they take them, and bring them back.

No American line gets that privilege. The Scandinavian Airlines and Icelandic bought their airplanes from us, because they could get that privilege, which means more to them than any other flying rights they could get.

Mr. Speaker, they drove us off the seas with the same kind of propaganda. We are the weakest nation in the world in the maritime race, and, if we keep it up, we will be the weakest Nation in the world in the air.

What do we mean, selling airplanes? Who in this room has the divine right to say that we are to lend money to put up a plant in order to compete with my people working in specialty steel products, with our other people working in copper mills, and with other people working in textile mills, just so we can sell an airplane?

What Member in this room has the divine right to say that an airplane worker must continue working and my man should lose his job and go on relief? How can we stand up on this issue on the strength of giving away what belongs to these Americans, their equal right under the Constitution, their equal right to work?

Mr. Speaker, what else have we done? We just gave them 260 circular knitting machines, at a cost of $5,620,000. We put in $4 million of it.

What are we talking about? Do we need someone over in Russia using these machines to compete with our workers so they can send their products all over the world?

Every time they sell machine goods to somebody that produces goods that is in competition with us, they are selling American jobs.

Mr. Speaker, while I have a minute, for the first time in many years that I have been fighting this battle I finally have some consolation. In the Wall Street Journal do you know what it says? It says what I have said to the Members so many times, though many of the Members have voted against it, and they will probably do so when I am done today also. Here is what they say:

A LONG LOOK AT THE EX-IM BANK

The authority of the Export-Import Bank expires today, which simply means that until Congress renews its authority the bank cannot make new loan commitments. How nice it would be if Congress took its time, say a year or two, before acting one way or another. It might even find that U.S. economic interests would be served by liquidation of the bank, which by our reckoning stays in business by sleight of hand and covert use of the taxpayers' money.

After all, the only thing the bank really does is subsidize exports. No matter how you slice it, it is a subsidy to provide 7% money to finance sale of a widget or an airplane to Ruritania or a computer to the Soviet Union, when an American businessman can't finance purchase of either for less than 11¾%. The bank gets privileged rates in the private capital market because the United States puts its full faith and credit behind the loans. Why the U.S. government should give the Ruritanian businessman a sweetheart deal that it won't give an American, save those at Lockheed, is beyond us.

The alleged economic justification for the bank's operation, which Ex-Im Bank Chairman William J. Casey pushes with great fervor, is that it improves the U.S. balance of trade. Granted, an export is an export. But Mr. Casey would have us look at only one side of the transaction. There's no way he could persuade us that wresting capital away from Americans, then forcing it abroad through the subsidy mechanism, does anything but distort relative prices, misallocate resources and diminish revenues, with zero effect, at best, on the trade balance.

Sen. Lloyd Bentsen of Texas sees part of the economics when both sides of the transaction are analyzed. He has an amendment that "would prevent Ex-Im financing of those exports involving the financing of foreign industrial capacity whenever the production resulting from that capacity would significantly displace like or directly competitive production by U.S. manufacturers." He has in mind Ex-Im's subsidizing of a foreign textile or steel plant that competes with its U.S. counterpart, to the detriment of our balance of trade.

Senator Bentsen thinks it's okay to subsidize finished products, like airplanes, which the Ex-Im Bank does plenty of. But Charles Tillinghast Jr., chairman of TWA, doesn't like the idea. He says TWA is losing piles of money flying the North Atlantic against foreign competitors who bought Boeing 747s and such with subsidized Ex-Im's loans. If TWA got the same deal, it would save $11 million a year in finance charges. Mr. Tillinghast is currently pleading for a government subsidy so he can continue flying the North Atlantic and providing revenues in support of, ahem, our balance of trade.

Even if Ex-Im Bank subsidized only exports of goods and services which could not conceivably come back to haunt us directly, we see adverse economic effects. Subsidizing the export of yo-yos to the Ruritanians gives them a balance of trade problem that they correct by subsidizing the export of pogo sticks to us. Taxpayers both here and in Ruritania are thereby conned by this hocus pocus into supporting lower prices for yo-yos and pogo sticks than the market will support. In fact, all our trading partners have their own trading partners have their own Ex-Im Bank to achieve exactly this end.

Two and three decades ago, when the Ex-Im Bank was a modest affair, its impact was relatively trivial. Now, it has $20 billion of lending authority and is asking Congress to bump this to $30 billion. By 1971, its impact on federal budget deficits had grown so large that Congress passed a special act taking the bank's net transactions out of the federal budget, so the deficit would look smaller. But the transactions have the same fiscal effect as a deficit, and the same drain on the private capital market. In the fiscal year just ending, the bank took $1.1 billion out of the capital market. In the next fiscal year, it expects to take $1,250,000,000 out of it.

There being no economic justification for the bank, Congress should feel no qualms about letting its authority lapse for a few years to watch what happens. The Russians, eager to continue getting something for nothing through the Ex-Im Bank, would be mildly unhappy. But they'd adjust by getting into the private capital markets with the underprivileged. We'd be surprised, too, if our trading partners didn't follow suit by scrapping these nonsensical subsidies. And if they don't why should he complain about their taxpayers sending us subsidized pogo-sticks?

I say to the Members, Mr. Speaker, if they want more than that they are not going to get it here.

Mr. ROUSSELOT. Mr. Speaker, I yield 2 minutes to the distinguished minority Member, the gentleman from New Jersey (Mr. WIDNALL), who disagrees with me on this issue also.

Mr. WIDNALL. Mr. Speaker, the Ex-

port-Import Bank is truly one of our unique Government institutions. Its assistance to American industry and the American labor force cuts across every segment of our economy, from agriculture to manufacturing, to the construction industry, to power, communications, mining, transportation, and servicing industries. The export products which its financing supports come out of every State of the Union. They come from thousands of small companies, as well as our largest industrial enterprises.

Now there are some who have been critical of the interest rate which the Bank charges on its loans, which presently is 7 percent. However, any valid discussion of this interest rate requires an understanding of why the Bank exists at all, how it operates, and most important—which many of my colleagues have conveniently overlooked—what the Congress has instructed the Bank to do.

The Export-Import Bank Act, which Congress amended as recently as 1971, instructs the Bank to provide export financing support for U.S. exporters which is competitive with the export financing made available to foreign exporters by their various Government export financing institutions. Now just what does this mean? It means that in today's world the American businessman, if he is even going to begin to try to sell his wares abroad, must take with him financing for his sales which can match or beat what his competitors are offering. They are offering financing from as low as 5.5 percent to as high, in certain instances, as 9.5 percent.

How does Eximbank help American business in competition? It helps by working with the private financing institutions all across this country in providing a combination of its own funds, private funds and guarantees and insurance, to put together a financing package for the amounts of money needed, at effective interest rates and on repayment terms which will make the U.S. sale competitive in markets abroad. This is the reason why we need an Exim rate on its portion of the loan which today is lower than the prevailing market rate.

The combination of the Exim rate and the market rate creates an effective rate of approximately 8.75 percent for the U.S. sale. It makes no sense to hold that Exim should be providing market rate financing. Obviously, if the private market alone could provide financing which is competitive, there would be no need for Eximbank. But this is simply not the case today, nor yesterday, nor probably tomorrow. And this is the very reason why the U.S. Congress, for some 30 years, has continued the existence of this Federal agency. It was created and mandated by the Congress to do a job which the private sector alone could not perform. It has been continued by the Congress, because Congress has recognized that U.S. export sales are a national priority and are important to the overall strength of the dollar. This is as true today as it was 20 years ago or 10 years ago and, in fact, our need to generate revenues from abroad is even more pressing today, because of the increased costs which this country is having to pay for those imports which it must have to sustain its economy and to meet the desires of its people.

So I say to my friends who seem to feel that this institution is no longer needed, and to those who would shackle it to such an extent that it cannot do its basic job, you better take a long hard look at all you are doing to give up—the business, the jobs, and the revenues—and have a better explanation for killing this agency that I have heard floating around these halls in the last several weeks.

Mr. ROUSSELOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Speaker, I rise in support of the resolution.

Mr. ROUSSELOT. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. ICHORD).

Mr. ICHORD. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, as it has already been pointed out to this body, we subsidize foreign airlines at the expense of American air lines through its creature, the Export-Import Bank.

It is impossible, Mr. Speaker, to debate the merits of this matter under the limitations in which we are now considering the measure, under suspension of the rules. But I would like to point out to the Members that this is not a proper matter for consideration under suspension of the rules.

The members of the Committee on Banking and Currency who support this proposal are well aware of the fact that the gentleman from Pennsylvania (Mr. DENT) the gentleman from Missouri and the gentleman from California (Mr. ROUSSELOT) and several other Members, have amendments which they wish to present to this legislation.

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

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

Mr. ROUSSELOT. I thank the gentleman for yielding.

This is one of the main reasons why many of us are objecting to the legislation coming to us in this manner. We have had no real opportunity, either in the committee or on the floor, to offer appropriate amendments that would limit this kind of lending practice. I appreciate the gentleman's bringing up that point. We are not, basically, opposed to some aspects of the Export-Import Bank, but we feel this is the wrong way to legislate.

Mr. ICHORD. I would further point out to the gentleman from California that there is no need to worry about the effect of an expiration of the Export-Import Bank, because the authority of the Export-Import Bank has already expired. It expired on June 30, 1974, and today is July 1, 1974. The truth of the matter is, Mr. Speaker, that when this House in its deliberations on the Trade Act adopted amendments that would restrict MFN status to the Soviet Union, as well as credits to the Soviet Union, this set off a series of delays and maneuvering which have resulted in this bill not coming to the floor until today. In fact, the proponents of this legislation on several occasions have made efforts to obtain unanimous consent requests in order to avoid these amendments being adopted.

For that reason, Mr. Speaker, this suspension should be voted down overwhelmingly.

The record of the Export-Import Bank is replete with actions detrimental to the economic and security interests of the United States. The reasons for not renewing the life of the Export-Import Bank are very cogently set forth in an editorial of the Wall Street Journal on June 28, 1974. Indeed, any way you slice it, we are subsidizing exports to not only our allies but also to the Soviet Union. The editorial reads as follows:

[From the Wall Street Journal, June 28, 1974]

A LONG LOOK AT THE EX-IM BANK

The authority of the Export-Import Bank expires today, which simply means that until Congress renews its authority the bank cannot make new loan commitments. How nice it would be if Congress took its time, say a year or two, before acting one way or another. It might even find the U.S. economic interests would be served by liquidation of the bank, which by our reckoning stays in business by sleight of hand and covert use of the taxpayers' money.

After all, the only thing the bank really does is subsidize exports. No matter how you slice it, it is a subsidy to provide 7% money to finance sale of a widget or an airplane to Ruritania or a computer to the Soviet Union, when an American businessman can't finance purchase of either for less than 11¾%. The bank gets privileged rates in the private capital market because the United States puts its full faith and credit behind the loans. Why the U.S. government should give the Ruritanian businessman a sweetheart deal that it won't give an American, save those at Lockheed, is beyond us.

The alleged economic justification for the bank's operation, which Ex-Im Bank Chairman William J. Casey pushes with great fervor, is that it improves the U.S. balance of trade. Granted, an export is an export. But Mr. Casey would have us look at only one side of the transaction. There's no way he could persuade us that wresting capital away from Americans, then forcing it abroad through the subsidy mechanism, does anything but distort relative prices, misallocate resources and diminish revenues, with zero effect, at best, on the trade balance.

Sen. Lloyd Bentsen of Texas sees part of the economics when both sides of the transaction are analyzed. He has an amendment that "would prevent Ex-Im financing of those exports involving the financing of foreign industrial capacity whenever the production resulting from that capacity would significantly displace like or directly competitive production by U.S. manufacturers." He has in mind Ex-Im's subsidizing of a foreign textile or steel plant that competes with its U.S. counterpart, to the detriment of our balance of trade.

Senator Bentsen thinks it's okay to subsidize finished products, like airplanes, which the Ex-Im Bank does plenty of. But Charles Tillinghast, Jr., chairman of TWA, doesn't

like the idea. He says TWA is losing piles of money flying the North Atlantic against foreign competitors who bought Boeing 747s and such with subsidized Ex-Im's loans. If TWA got the same deal, it would save $11 million a year in finance charges. Mr. Tillinghast is currently pleading for a government subsidy so he can continue flying the North Atlantic and providing revenues in support of, ahem, our balance of trade.

Even if Ex-Im Bank subsidized only exports of goods and services which could not conceivably come back to haunt us directly, we see adverse economic effects. Subsidizing the export of yo-yos to the Ruritanians gives them a balance of trade problem that they correct by subsidizing the export of pogo sticks to us. Taxpayers both here and in Ruritania are thereby conned by this hocus pocus into supporting lower prices for yo-yos and pogo sticks than the market will support. In fact, all our trading partners have their own Ex-Im Bank to achieve exactly this end.

Two and three decades ago, when the Ex-Im Bank was a modest affair, its impact was relatively trivial. Now, it has $20 billion of lending authority and is asking Congress to bump this to $30 billion. By 1971, its impact on federal budget deficits had grown so large that Congress passed a special act taking the bank's net transactions out of the federal budget, so the deficit would look smaller. But the transactions have the same fiscal effect as a deficit, and the same drain on the private capital market. In the fiscal year just ending, the bank took $1.1 billion out of the capital market. In the next fiscal year, it expects to take $1,250,000,000 out of it.

There being no economic justification for the bank, Congress should feel no qualms about letting its authority lapse for a few years to watch what happens. The Russians, eager to continue getting something for nothing through the Ex-Im Bank, would be mildly unhappy. But they'd adjust by getting into the private capital markets with the underprivileged. We'd be surprised, too, if our trading partners didn't follow suit by scrapping these nonsensical subsidies. And if they don't, why should we complain about their taxpayers sending us subsidized pogo sticks?

Mr. ROUSSELOT. Mr. Speaker, I now yield 1 minute to my colleague, the gentleman from Ohio (Mr. J. WILLIAM STANTON).

Mr. J. WILLIAM STANTON. Mr. Speaker, this is a simple matter. I am amazed at the remarks made by the gentleman in the well to the House. What the Committee on Banking and Currency is simply doing is asking for a 30-day extension so that any Member in this body can offer all of the amendments they want within the next 30 days. This gives us an opportunity to bring this bill back. We think it is so extremely important to the constituents of the Members of this body. By a simple extension of 30 days we can come up with a good bill. I personally think—and I am sure—that the majority will by a two-thirds vote give us an opportunity to continue this until we can present it on the proper platform which, I agree, is in the Committee of the Whole.

Mr. ROUSSELOT. Mr. Speaker, I rise in opposition to Senate Joint Resolution 218. which would extend the expiration of the Export-Import Bank Act of 1945 for 30 days. Chairman PATMAN, of the Banking and Currency Committee, attempted several times last week to obtain this extension by unanimous consent, but on each occasion an objection was raised. Now that the extension is being considered under a suspension of the rules, I believe this House should again deny the extension, for the following reasons:

First. The International Trade Subcommittee and the full Banking and Currency Committee have been fully aware that the act would expire on June 30, 1974. Yet they have failed to report a bill to the floor in time for the House to give this matter the thorough consideration it deserves. There is no reason why the House should be rushed to consider this extension just because the committee has failed to lay the proper foundation.

Second, the prospect of a lapse in authority for the Eximbank should not be a major concern. In fact, an article from last Friday's Wall Street Journal, the full text of which I am inserting below, suggested that:

There being no economic justification for the bank, Congress should feel no qualms about letting its authority lapse for a few years to see what happens.

A lapse of some months while Congress thoroughly considers the merits of extending Eximbank's authority might very well be a blessing.

Third, consideration of an extension under suspension of the rules is a poor way to legislate, because there is no provision for amendments. On April 25, 1974, Congressman DENT and I testified jointly before the International Trade Subcommittee concerning the need for amendments to the Eximbank Act. We have jointly introduced H.R. 14302, a bill which would amend the act to give Congress an active role in approving Eximbank's transactions, thus enabling Congress to exercise its constitutional authority "to regulate commerce with foreign nations."—article I, section 8. Our amendments cannot be considered under the supension procedure, and Mr. DENT and I strongly feel that no extension of Eximbank authority should be granted until Congress has had a chance to consider the issues which we have raised and to work its will on our amendments and on any other amendments which may be offered.

For all of these reasons I suggest that we defer any action on an Eximbank extension until we can take a proper look at its merits.

The Wall Street Journal article follows:

A LONG LOOK AT THE EX-IM BANK

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the underprivileged. We'd be surprised, too, if our trading partners didn't follow suit by scrapping these nonsensical subsidies. And if they don't, why should we complain about their taxpayers sending us subsidized pogo sticks?

Mr. PATMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. ASHLEY).

Mr. ASHLEY. Mr. Speaker, it is entirely true that there are a number of questions that can be raised with respect to the operations of the Export-Import Bank. I respectfully submit to you, as chairman of the Subcommittee on International Trade, that this is not the way to raise the questions.

Prudent parents do not throw out the baby with the bath water. The Congress is the parent of the Export-Import Bank. Rejection of the resolution before us, Mr. Speaker, to extend the authority of the Export-Import Bank will not affect the U.S.S.R. one iota. It will affect, and it will affect very adversely, scores upon scores of American manufacturing concerns and other business concerns in the United States and, most certainly, hundreds of thousands of American workers.

Who would really in fact be the beneficiary if this resolution is not adopted? Very clearly, Mr. Speaker, it would be the trading partners of the United States, such as Great Britain, France, Italy, and Japan, who would not believe their good luck if the United States were to take this action to get out of the export business. These countries would be the beneficiaries in the first place because they would inherit trade which otherwise, as at the present time, is to the benefit of the United States.

I am very disappointed that my friend, the gentleman from Missouri (Mr. ICHORD), suggests to the Members that opponents of the legislation extending the authority of the Export-Import Bank have not had a fair opportunity to be heard. They had the major share of the time, and I made certain that they did, despite the fact that I do not agree with their views, and I protected their rights at every turn. Neither the gentleman from Pennsylvania (Mr. DENT) nor any one else can say to the contrary. For them to suggest to this body that they have somehow been mistreated is a misrepresentation of the facts, and the gentleman from California (Mr. ROUSSELOT) knows that.

Under the Export-Import Bank Act of 1945, as amended, the Bank was authorized to exercise its functions until the close of business on June 30, 1974. Legislation which would extend the life of the Bank to 1978 and increase its lending authority was introduced on April 1.

That legislation and other bill dealing with international economic policy were the subject of extensive hearings from April 22 through May 2 before the Subcommittee on International Trade, which I chair.

These same hearings served the purpose of taking testimony on House Resolution 774, introduced by my colleagues, the gentleman from Missouri (Mr. ICHORD) and the gentleman from Pennsylvania (Mr. DENT). That resolution, which was cosponsored by more than 220 Members of the House, would express the sense of the House that no loans shall be extended by the Export-Import Bank to any nonmarket economy country other than Poland and Yugoslavia until the Senate has acted on the trade bill passed by the House last December.

As my colleague from Missouri well knows, I did everything within my power to facilitate full consideration of House Resolution 774. The gentleman from Missouri and the gentleman from Pennsylvania and the gentleman from California (Mr. ROUSSELOT) were given time before the Subcommittee on International Trade of perhaps greater length than have any other Members before the Committee on Banking and Currency within my recollection. The questions that they raised with respect to Export-Import Bank policy were carefully noted and put to appropriate administration witnesses.

Subsequent to the subcommittee hearings on international economic policy legislation, House Resolution 774 was reported by the Committee on Banking and Currency and brought before the Rules Committee, which postponed it in view of the President's trip to the Soviet Union.

The Committee on Banking and Currency subsequently reported legislation to extend and amend the International Economic Policy Act of 1972, as amended, and legislation to extend and amend the Export Administration Act of 1969, as amended. Authorities in each of these existing laws were scheduled to expire on June 30, and it was the judgment of the committee that action ought to be taken on them first. These matters originating with the Subcommittee on International Trade, as well as the matter of the Export-Import Bank Act, were competing for consideration by the committee and subcommittee with a $10 billion housing bill of extraordinary scope, and which took many, many days of committee meetings to mark up.

Nevertheless, for the afternoon of June 13 there was scheduled an executive session to mark up H.R. 13838, a bill to extend and amend the Export-Import Bank Act. However, it was necessary to postpone this meeting when H.R. 13839, a bill to authorize appropriations for carrying out the provisions of the International Economic Policy Act, was scheduled for floor action on short notice. The schedule of the Committee on Banking and Currency subsequent to that time has not permitted the committee to bring a bill forward.

I want to assure my colleagues that I will do my utmost to bring legislation to extend and amend the Export-Import Bank Act to the floor within the 30-day period authorized by Senate Joint Resolution 218.

In this connection, I believe I should point out that from an international competitive point of view there is a need for export financing not only on terms comparable to those offered by other governments, but also for timely assurance of the availability of such financing. In the fast-moving world of international trade, delay or uncertainty can be as devastating as an outright negative decision.

As my colleagues are aware, the president of the Export-Import Bank, Mr. Casey, has already given assurance that no further commitments for loans to the Soviet Union will be made until Congress has expressed its will on this matter in consideration of the Export-Import Bank Act legislation. I believe I should recall, at the same time, that the overwhelming involvement of the Export-Import Bank is with exports to market economy countries and that our balance of trade swung deeply into deficit last month, with imports exceeding exports by $776 million, the second largest monthly deficit on record. The United States has its work cut out for it if it is to sell enough abroad to pay for the increased cost of imports of vital raw materials. Export-Import Bank has a critical role in the growth of our exports. Failure to maintain the continuity in its operations, particularly under prevailing circumstances, would, in my view, constitute an indefensible obstruction to a sound international economic policy.

Last week, as my colleagues are aware, a simple 30-day extension of the Bank's authority was objected to under unanimous-consent request on three occasions. On the last of these occasions a number of spurious contentions were raised by the gentleman from Maryland (Mr. LONG). Perhaps I can best answer these by citing briefly some of the material included in the record of the recent subcommittee hearings on international economic policy legislation.

Consider, for example, remarks of Herbert P. Bure, president of the Ellicott Machine Corp., dredge division, of Baltimore, Md.:

> Our company, as a small business firm in a highly competitive international field, has for many years been the largest U.S. designer and manufacturer of dredges and dredging equipment. Over the last five years, we have exported 75 percent of our total production from the Baltimore plant. We have worked with Export-Import Bank for over 25 years on many projects.
>
> Our overseas customers must be able to count on the availability of competitive credit terms from the United States in order to consider Ellicott as a potential supplier of dredging equipment. If such financing is not available on a predictable basis, the United States and Ellicott are deprived of the opportunity to compete on the world market.
>
> We submit that the financial services offered by Export-Import Bank are not a direct benefit to the foreign buyer, but rather a necessity to the U.S. manufacturer. We are not talking about any form of foreign aid, which is quite another matter and of no particular interest to my company.
>
> The lapse of time involved in the approval procedure from date of application to final execution of the loan agreement is an important economic factor in the decision making process of the foreign buyer. For example—a 4½ million dollar Ellicott Dredge System, which may require approximately 3 million dollars worth of export from the U.S., may take approximately 12 months to build and complete, ready for operation, and have a productive capability of 1 million cubic yards per month, or approximately ½

million dollars of monthly revenue. A delay in processing this foreign buyer's application of as little as two weeks may represent an economic loss to him of approximately one quarter of a million dollars which would be sufficient to turn his back to the U.S. and Ellicott and procure equipment elsewhere.

Mr. Speaker, it is just this kind of situation that discontinuity in the operations of the Bank can create, leading to an immediate loss of jobs and earnings for no sound reason.

The Banking Committee will be considering basic legislation affecting the Export-Import Bank after the July 4 recess. In the interim, I would urge my colleagues to join me in support of Senate Joint Resolution 218.

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

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

Mr. ROUSSELOT. Mr. Speaker, nobody has ever claimed that those who had questions about this legislation were mistreated before the subcommittee. We merely stated if this legislation is so important why have we not been able to have the bill before this body in a normal manner. We have had over three months to discuss it. We were very much aware it needed to be extended. Why do we not have the legislation in a proper way?

Mr. ASHLEY. I have explained that previously.

Mr. Speaker, I urge this body to think carefully before casting what will be a very important vote. I urge adoption of this resolution.

Mr. CONTE. Mr. Speaker, I rise in support of Senate Joint Resolution 218, to extend by 30 days the expiration date of the Export-Import Bank Act of 1945. I believe that it is essential to the economy of our country, and particularly to the position of the United States in the world economy, that we extend the authorization for the Eximbank.

The authorization for the Export-Import Bank expired yesterday, and it is therefore necessary to pass this resolution to provide sufficient time for the completion of House and Senate action on the reauthorizing legislation. We must not disrupt the activities of this vital lending institution upon which so many of our domestic manufacturers rely for their ability to participate in international marketing activities.

Mr. Speaker, there have been some objections to the efforts of the Eximbank on the grounds that it encourages the export of jobs as well as capital. It is probably true that some jobs are exported. But the net effect of that export is to create higher incomes in other countries, which increases the foreign demand for American products. You can see that this will further stimulate the export of American goods, creating a net increase in jobs here at home.

The argument is also made that the lending of the Export-Import Bank gives an unfair subsidy to participating countries and companies. Opponents of this resolution say that these companies should have to go to the private credit markets like everyone else.

I would like to point out that the program of the Export-Import Bank is especially valuable to the small business, an interest of mine as ranking Republican on the Select Committee on Small Business. By their nature, the terms and conditions of the medium-term guarantee, insurance, and relending programs of the Eximbank are especially attractive to the smaller businesses.

These small businesses are able to compete in international markets only because of the existence of the Eximbank. Of course the giants like United States Steel and Westinghouse could go into the private credit markets to finance their exports. But these small businesses cannot. They simply do not have the resources to compete internationally against the foreign subsidized giants. I would point out further, that 95 percent of American business is classified as small business. I believe that it is vital to continue subsidized exports through the Eximbank to maintain the competitive quality of American, and particularly small business, exports on the world market.

The Eximbank contributes considerably to the favorable position of our balance of trade. Especially now, when we are paying exorbitant rates for our imports of petroleum, we should support the efforts of the Eximbank to mitigate the adverse impact on our trade account of the increased expenditures for petroleum imports.

I urge the adoption of this resolution.

Mr. GROSS. Mr. Speaker, today the House of Representatives is being asked to breathe new life into a corpse that would be much better off if left in its grave.

The Export-Import Bank has become a millstone around the necks not only of our individual taxpayers but of our businessmen as well—an expensive millstone that we simply can no longer afford.

Mr. Speaker, I do not care whether you cut it thick or thin, the Export-Import Bank—under the false guise of helping U.S. business—is merely in the business of subsidizing exports by siphoning off literally billions of dollars from the domestic money markets at a time when that money is in desperately short supply.

There is no justification whatsoever, in my view, for permitting this or any other organization to take capital away from Americans to hand to foreigners by means of bargain basement subsidy rates.

There is no justification whatsoever for providing 6-percent money to the Russians to finance an industrial plant when an American businessman cannot finance a similar venture for less than 11¾ percent, perhaps even 12 percent by now.

What this Export-Import Bank has been doing in large part is financing competition abroad for producers in the United States.

It will be recalled that a couple of years ago the Bank shelled out $18 million to a group of Japanese banks which bought two DC–10 jumbo jet airliners from McDonnell Douglas and turned around and sold them to a British airline that plans to undercut both Pan American and TWA by offering to fly passengers from New York to London for $117. It mattered not to the Export-Import Bank officials that both TWA and Pan Am are on the financial ropes.

It matters not to them that TWA chairman Charles Tillinghast, Jr., says his company is losing its shirt to foreign airlines flying the Atlantic with Boeing 747's and other American-built planes bought with Ex-Im's subsidized loans.

Mr. Speaker, what this House should do today is to soundly reject this bill and let the passage of a little time demonstrate that the world will still turn without the presence of the Export-Import Bank.

To be sure, some of the governments whose state-owned airlines have been effectively competing with TWA because of their heavily subsidized airplanes and operations may be less than pleased.

The Russians might be miffed because, after all, they have not missed out lately on the Eximbank gravy train and when you have been getting something for nothing you hate to see it taken away.

But, Mr. Speaker, it is long past time which this Government starts putting the American consumer, the American taxpayer, and the American businessman ahead of the citizens and governments of almost every other nation on earth.

It is time we brought a halt to the subsidy by our people of foreign competition, and I urge the sound defeat of this legislation.

Mr. WOLFF. Mr. Speaker, as the House debates the bill to extend authority for the Export-Import Bank, I would like to bring to the attention of my colleagues a letter I have received from Chairman William Casey relating to the question of Eximbank loans or credit to the Soviet Union.

The Eximbank has served an important function in expanding our export programs, thereby helping our balance-of-payments problem, and I recognize the contribution it has made. However, I again want to express my reservations that the Eximbank be selective in terms of their transactions; we must guard against providing our adversaries with advantages which may later be used to frustrate the avowed policies of the United States. A case in point is the Bank's proposal to grant $49 million in credit to the Soviet Union for exploration of the Eastern Siberian gas fields. Should the United States become dependent upon the Soviet Union for any of our gas needs, we would have no assurances against the kind of cut-off engaged in by their Mideast allies. In view of the fact that U.S. financial commitments to the Soviet Union will ultimately involve our own national security and self-interests, it is incumbent upon the Congress to determine what the Bank's policies toward the Soviets will be.

Chairman Casey has assured me that there will be no Eximbank loans to or transactions with the Soviet Union until Congress has had a chance to act on the trade bill. In passing the Trade Reform Act, as you know, the House expressly prohibited credit transactions with the

Soviet Union until it alters its repressive emigration policies. In addition, more than a majority of the House has sponsored a resolution reiterating House policy that the Soviet Union be denied credit extensions until action on the trade bill is completed.

I am a sponsor of this resolution, and I actively supported the credit prohibition in the trade bill. In addition, my concerns over the potential ramifications of financial dealings with the Soviet Union have not been assuaged. However, I am going to support the 30-day extension of the Eximbank Act today with the understanding, as expressed by Chairman Casey, that there will be no transactions with the Soviet Union until Congress determines what our policy in this matter will be.

I am thankful to the Chairman for his assurance that the Bank will not extend credit to the Soviet Union until Congress has had the opportunity to determine the policies the Bank should follow. I am hopeful that in the intervening period, the Congress will act on a constructive bill which is reflective of my position in this matter.

The text of Chairman Casey's letter follows:

EXPORT-IMPORT BANK
OF THE UNITED STATES,
Washington, D.C., July 1, 1974.

Hon. LESTER L. WOLFF,
House of Representatives,
Dirksen Building, Washington, D.C.

DEAR MR. WOLFF: The Senate has before it a Joint Resolution which would extend the life of the Bank from June 30, 1974, to July 31, 1974. Certain questions have arisen regarding new transactions with the U.S.S.R.

Since I became Chairman of the Export-Import Bank on March 14, 1974, the Bank has refrained from issuing any new commitments for transactions in the U.S.S.R. until such time as the Congress has determined the policy guidelines for the Bank to follow. During this period we have done nothing beyond honoring commitments previously made. Only one such commitment is now outstanding. We have not heard anything about it for some time and don't know if the deal, which relates to a transfer line to produce crankshaft half bearings, is still alive.

I want to assure you that the Bank will not act on this commitment or extend any other financing to the Soviet Union until such time as Congress has determined what policies the Bank should follow in this regard and has enacted the legislation presently before the Banking, Housing and Urban Affairs Committee.

Sincerely,

WILLIAM J. CASEY.

Mr. RANDALL. Mr. Speaker, as I oppose Senate Joint Resolution 218 to provide for a 30-day extension of the Export-Import Bank it should not be construed that I am in opposition to the Bank itself because the record will show that I have in the past supported the Bank.

Let me hasten to add that I hope that I can find it possible to lend my support in the future but that may not be possible if the present procedures of the Export-Import Bank continue. Moreover, this is no way to legislate under the suspension of the rules limited to 20 minutes' debate on either side of the issue and with utterly no privilege of amendment of any kind.

I must add that future support of the Bank is a position that I hope I will be able to assume because I believe the Bank has in the past contributed to our foreign trade and has been of some assistance in the balance-of-payments problems.

But what is in the past is another chapter and another story. Recently there has been a trend toward an inordinate amount and a disproportionate amount of total credits being extended to the Soviet Union. I oppose this imbalance of seeming to favor Russia over some of the other countries that we have done business with over the long pull.

The question we must ask ourselves as we consider this extension under suspension is what effect a failure to enact Senate Joint Resolution 218 for 30 days' extension will have upon the Bank? The answer quite clearly is none.

The authority of the Bank has already expired on June 30, 1974. Surely the Banking and Currency Committee knew months ago that this authority would expire on June 30. Their inaction and procrastination is not the fault of the House. The fact that they have not acted is no reason that we should have this shoved down our throats today, this legislative procedure under a suspension of the rules which will deny the Members of this House a right to spell out into law that this Bank shall not continue to bend over backward to favor the Soviet Union over every other one of our trading partners.

Oh, the Eximbank Chairman, Mr. Casey, has promised faithfully that he will make no more Soviet loans during this 30-day extension but if his past record is any kind of a criteria the fulfillment of this promise would be a complete turnaround to all that has happened within the immediate past.

The best proceedure is to consider this extension under a rule—and with time to offer amendments that well correct the mistakes that have been made by Eximbank in the not too distant past.

Mr. VANIK. Mr. Speaker, I am opposed to this 30-day extension of the Export-Import Bank. There has been sufficient time for new legislation to be drafted which would have provided rules and regulations for the proper management of the Bank.

Under its present authority and management, the Bank has been run in almost total disregard of the will of Congress and the national interest. The Bank's authority should be allowed to lapse until the Congress enacts new legislation limiting the powers of the Bank and describing what type of loans can and should be made. A 2- or 3-week delay in the ability of the Bank to issue new loans and guarantees will not cause irreparable damage. Hopefully, a lapse in the Bank's authority will reduce the arrogance of its present management and result in better administration of the program in the future.

During the last year, there has been considerable controversy surrounding the activities of the Export-Import Bank, particularly with respect to loans and guarantees by the Bank for energy projects overseas and for investments in the Soviet Union. On December 11, 1973, the House of Representatives made it clear—by a vote of 319 to 80—that it opposes loans and credits to the Soviet Union at the present time due to their restrictive emigration policies. The same amendment is supported in the Senate by 78 Senators. Support for that amendment has been strengthened by the continuing repression in the Soviet Union.

It is most disturbing that since the overwhelming vote in the House of Representatives on December 11, 1973, the Bank has rushed ahead and approved over $100 million in loans and guarantees to the Soviet Union—even though the last several months have raised the most serious questions about civil liberties in the Soviet Union. These loans are being made despite a recent resolution, cosponsored by 220 Members of the House, expressing the sense of the House that these loans should be held up in light of the vote on the freedom of emigration amendment.

In addition, the exact wording of the commercial agreements between the United States and the U.S.S.R. on October 18, 1972, were only recently revealed. In a speech in the Senate on February 7, 1974, the senior Senator from New Jersey (Mr. CASE) stated:

Mr. President, under the Case Act the Secretary of State shall transmit to the Congress the text of any international agreement, other than a treaty, to which the United States is a party as soon as practicable after such agreement has entered into force with respect to the United States, but in no event later than 60 days thereafter. On October 18, 1972, the United States and the Soviet Union signed a trade agreement as a follow-up to summit meetings between the two countries. This agreement was not transmitted to Congress and some of its provisions were not made public. Since it was not transmitted, Congress assumed it had not entered into force.

It now appears that parts of the trade agreement have indeed entered into force and congressional deliberations on granting credits to the U.S.S.R. has been by-passed by an executive agreement that extends credits at a preferred rate to the U.S.S.R.

Congress was not asked what its views were or whether the terms of the agreement were prudent and consonant with our foreign policy or with economic conditions. Neither the Congress nor the taxpayer has been told the extent of the obligation to extend subsidized credit to the U.S.S.R. Certainly the decision to take these actions restricts the freedom of Congress to decide on the advisability of trade with the Soviets.

The Senator went on to point out that the former President of the Export-Import Bank, Henry Kearns, was very leery about making these enormous commitments to the Soviet Union, because the Soviets did not make financial information available, as required by the Export-Import Bank in the case of loans to other countries. The Senator also quoted former Secretary of Commerce Peter Peterson as writing in August 1972:

Clearly, Eximbank could not undertake financing on the scale of the Soviet project without substantially changing its historical practices and perhaps even the nature of the institution.

The arrogance of the administration in continuing to make these loans was further pointed out by the junior Sen-

ator from Pennsylvania, Senator SCHWEIKER in a speech in the Senate on March 8. In that speech, the Senator released a General Accounting Office study which pointed out that the administration was not complying with the law in granting Export-Import Bank loans and guarantees. As a result of its illegal procedures of failing to certify that each loan and guarantee was, indeed, in the national interest, the GAO ordered some $225 million in Bank loans held up and reviewed.

Subsequently, the administration "certified" that the Bank's actions were in the national interest and the flow of loans resumed.

I believe that the administration's reckless course—a course in which they seemed to be trying to buy détente—is an attempt to ignore the will of the Congress. For this reason alone, the American public and the Congress should demand a review of the Bank's subsidy loan policies.

THE EXTENT OF EXPORT-IMPORT BANK SUBSIDIES

It is claimed that the Export-Import Bank should be maintained because the Bank helps create jobs in America by increasing American exports. This may be true, but it is obvious that the devaluations and the uneven impact of the energy crisis have infinitely more to do with our level of exports and our balance of payments. For example, between 1972 and 1973 there was a swing in the U.S. balance of payments of about $11 billion—from a deficit of around $9.8 billion to a surplus of $1.2 billion. The Export-Import Bank plays a very minor role in our total export picture.

In addition, it is obvious that 6- or 7-percent loans would create jobs anywhere. How many jobs could be created in the United States if the Bank made its 6- or 7-percent loans in America for inner-city development, regional economic development, or new energy investments? Presently, the Bank is exporting future productive capacity. Yet we are short of investment capital in the United States. We have severe shortages in a number of industries—such as the energy and fertilizer industries—yet we are making subsidized loans to the Soviet Union to improve their energy and fertilizer production capabilities.

How large is planned American investment in the Soviet Union—and what kind of subsidy is provided?

The Export-Import expired as of June 30, 1974. The administration is seeking to extend the life of the Bank another 3 years and increase its loan and guarantee authority by another $10 billion—thus raising its total investment ability from $20 billion to $30 billion. Almost all of this increase is planned for investments in the Soviet Union. For example, major investments are being considered for the development of energy sources in Siberia. The so-called North Star project alone is estimated to cost between $7 and $8 billion.

Subsidized loans and credit guarantees are a major form of Government subsidy. As the Office of Management and Budget's document, "Special Analysis of the Budget," states—

Borrowing from the public—whether by the Treasury or by an agency—has a significant impact on financial markets and thereby on the economy, and it is consequently an important concern of Federal fiscal policy . . .

Even when totally outside the Federal budget, such as the Export-Import Bank, and without support from budget resources, Federal guarantees and other means of Federal credit aid have a significant economic impact and social cost. They alter market mechanisms in determining who gets scarce credit resources, in what order or priority, and at what cost. As a result the structure of the economy is altered, capital markets are affected in major respects, and fiscal policy objectives are made more difficult to attain.

The net budget impact of interest concessions made to borrowers on direct loans for any single year includes the subsidy costs arising from both new loans and outstanding loans made in previous years. By the same token, all new loan commitments at submarket interest rates will add to budget outlays for all future years during which the loan remains outstanding. Once newly subsidized loans are committed, the future costs are largely predetermined and the net subsidy costs becomes relatively uncontrollable.

Subsidy measurement.—One way that the impact of future subsidies could be viewed would be simply to total all future payments. However, because of interest, a dollar payable at some future date is worth less than a dollar paid out today. Said differently, a dollar payable in the future "costs" less, because some smaller amount invested today at interest would grow sufficiently to meet the obligation when due. Therefore, a simple total of future obligations would clearly overstate the true value of the subsidy stream. A better way to measure the ultimate value of the successive annual subsidy payments is in "present value" terms, in accordance with the recommendations of the President's Commission on Budget Concepts. This is accomplished by capitalizing (or discounting) future subsidies at an appropriate interest (or discount) rate.

According to the Office of Management and Budget, the subsidy of the Eximbank—at the old 6-percent rate—was $2 million for every $100 million in commitments. That would be reduced for new commitments now that the Bank has increased its interest rate to 7 percent. In total, the OMB says that the present value at 9.5 percent discount of future subsidies committed in Eximbank loans is as follows:

Fiscal year 1973, $377 million; fiscal year 1974, $481 million; and fiscal year 1975, $518 million.

A significant portion of this subsidy by the American taxpayer will accrue to the benefit of the Soviet Union.

The General Accounting Office auditors agree with OMB that there are significant subsidies involved in Eximbank activities. For example, in its audit of the Bank for fiscal year 1971, the GAO reported on October 29, 1971, that:

The interest and other financial expense reported by Eximbank include interest charges on a significant part of the borrowings from the U.S. Treasury at rates lower than the rate prevailing at the time the funds were borrowed. Had the Treasury charged Eximbank interest rates approximating the full cost of the funds, the bank's interest and other financial expense would have been increased by about $11.9 and $16.9 million in fiscal years 1971 and 1970, respectively, and the net income from operations for the years then ended would have been correspondingly reduced.

It is clear, beyond any question of doubt, that the use of the Export-Import Bank to encourage exports to the Soviet Union provides an American taxpayer subsidy to the Soviet Union.

UNSAFE INVESTMENTS

In addition to the questionable wisdom of subsidizing exports of goods—the profit of which accrues to the individual companies making the sales as well as to the Government of the Soviet Union—it is doubtful that these are safe investments.

These investments and contracts may be cut off at any time, depending on political crises or unpredictable changes in the Soviet ideology. It is particularly dangerous to rely on the Soviet Union for future sources of energy. There can be no energy independence for America in the oil and gas fields of Siberia. The Soviet Union will use its natural resources for its own maximum advantage—including its political advantage. How can we count on energy supplies from a nation which has just been urging the Arab bloc to continue its oil embargo? How can we trust a nation which wants to renegotiate its energy contracts with its own Eastern bloc satellites? In the March 13, 1974, Wall Street Journal it was reported that last year the Soviet Union signed a contract with Veba A.G., a West German state-controlled oil company, promising to deliver 68,000 barrels per day of oil at a realistic price. The German company now reports that the Soviets delivered only 57,200 barrels daily and jumped the price to $16 per barrel. The company is canceling its contract with Russia because of the unreliability and unwarranted price increases. Is the United States to invest billions in Siberian oil and gas—and then 20 years from now receive the same treatment from the Soviets?

Mr. Speaker, I urge the defeat of this bill so that the House may rewrite the legislation to provide adequate safeguards to limit the abuse of the Export-Import loan program.

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the Senate joint resolution (S.J. Res. 218).

The question was taken; and the Speaker announced that the Chair was in doubt.

RECORDED VOTE

Mr. PATMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 238, noes 115, answered "present" 1, not voting 80, as follows:

[Roll No. 358]

AYES—238

Abdnor	Barrett	Brown, Calif.
Abzug	Biester	Brown, Mich.
Adams	Bingham	Brown, Ohio
Alexander	Blackburn	Broyhill, N.C.
Anderson, Calif.	Blatnik	Broyhill, Va.
	Boggs	Buchanan
Anderson, Ill.	Boland	Burke, Mass.
Andrews, N. Dak.	Bowen	Burleson, Tex.
	Brademas	Burton, John
Annunzio	Breaux	Burton, Phillip
Ashley	Brooks	Butler
Aspin	Broomfield	Carter
Badillo	Brotzman	Casey, Tex.

Cederberg	Kluczynski	Roncallo, N.Y.
Chamberlain	Koch	Rooney, Pa.
Chisholm	Kyros	Rosenthal
Clay	Latta	Roush
Cohen	Leggett	Roy
Collins, Ill.	Long, La.	Ruppe
Conable	Lott	Ryan
Conte	Luken	St Germain
Conyers	McClory	Sandman
Corman	McCormack	Sarasin
Cotter	McDade	Sarbanes
Coughlin	McFall	Schneebeli
Cronin	McKay	Schroeder
Daniel, Dan	McKinney	Sebelius
Danielson	Macdonald	Shriver
Davis, Wis.	Mahon	Sikes
Delaney	Mallary	Skubitz
Dellenback	Mann	Smith, N.Y.
Dellums	Martin, N.C.	Staggers
Dennis	Mathias, Calif.	Stanton,
Donohue	Matsunaga	J. William
Downing	Mayne	Stanton,
Drinan	Mazzoli	James V.
du Pont	Melcher	Stark
Eckhardt	Metcalfe	Steed
Edwards, Calif.	Mezvinsky	Steele
Eilberg	Milford	Steiger, Wis.
Esch	Minish	Stephens
Eshleman	Mink	Stokes
Evans, Colo.	Mitchell, Md.	Stratton
Fascell	Moakley	Studds
Findley	Morgan	Symington
Fisher	Mosher	Talcott
Flood	Murphy, Ill.	Thompson, N.J.
Foley	Murphy, N.Y.	Thomson, Wis.
Ford	Murtha	Thornton
Forsythe	Myers	Tiernan
Fraser	Natcher	Traxler
Frelinghuysen	Nedzi	Treen
Frenzel	Nelsen	Udall
Fuqua	Nix	Ullman
Gettys	Obey	Van Deerlin
Giaimo	O'Hara	Vander Jagt
Gibbons	O'Neill	Vander Veen
Grasso	Owens	Vigorito
Gray	Parris	Waggonner
Green, Pa.	Patman	Waldie
Grover	Patten	Walsh
Gubser	Pepper	Ware
Gude	Perkins	Whalen
Guyer	Pettis	White
Hamilton	Peyser	Whitehurst
Hanley	Pickle	Widnall
Hansen, Idaho	Pike	Wiggins
Harrington	Price, Ill.	Williams
Hastings	Pritchard	Wilson,
Hawkins	Quie	Charles, Tex.
Helstoski	Railsback	Winn
Hicks	Rangel	Wolff
Hosmer	Rees	Wright
Howard	Reuss	Wyatt
Johnson, Calif.	Rhodes	Wydler
Johnson, Pa.	Riegle	Wylie
Jordan	Roberts	Yates
Karth	Robison, N.Y.	Young, Ga.
Kastenmeier	Rodino	Young, Ill.
Kazen	Roe	Young, Tex.
King	Roncallo, Wyo.	Zablocki

NOES—115

Addabbo	Frey	Michel
Archer	Froehlich	Miller
Ashbrook	Fulton	Minshall, Ohio
Bafalis	Gaydos	Mitchell, N.Y.
Baker	Gilman	Mollohan
Bauman	Ginn	Moorhead,
Beard	Goldwater	Calif.
Bennett	Gross	Moss
Biaggi	Haley	O'Brien
Bray	Hammer-	Poage
Brinkley	schmidt	Preyer
Burgener	Harsha	Price, Tex.
Burke, Fla.	Hays	Quillen
Burlison, Mo.	Hechler, W. Va.	Randall
Camp	Henderson	Rarick
Chappell	Hillis	Regula
Clancy	Hinshaw	Rinaldo
Clark	Hogan	Robinson, Va.
Clausen,	Holt	Rogers
Don H.	Holtzman	Rose
Clawson, Del	Hudnut	Rousselot
Cleveland	Hunsate	Roybal
Collier	Hunt	Runnels
Collins, Tex.	Hutchinson	Ruth
Conlan	Ichord	Satterfield
Crane	Jarman	Seiberling
Daniel, Robert	Jones, N.C.	Shipley
W., Jr.	Jones, Okla.	Shuster
Davis, S.C.	Kemp	Slack
Denholm	Lagomarsino	Snyder
Dent	Landgrebe	Spence
Derwinski	Litton	Steelman
Devine	Long, Md.	Stubblefield
Duncan	McCollister	Symms
Flynt	Madigan	Taylor, N.C.
Fountain	Maraziti	Teague
Towell, Nev.	Wilson, Bob	Young, Alaska
Vanik	Wilson,	Young, Fla.
Veysey	Charles H.,	Zion
Wampler	Calif.	
Whitten	Yatron	

ANSWERED "PRESENT"—1

Gonzalez

NOT VOTING—80

Andrews, N.C.	Fish	Madden
Arends	Flowers	Martin, Nebr.
Armstrong	Goodling	Mathis, Ga.
Bell	Green, Oreg.	Meeds
Bergland	Griffiths	Mills
Bevill	Gunter	Mizell
Bolling	Hanna	Montgomery
Brasco	Hanrahan	Moorhead, Pa.
Breckinridge	Hansen, Wash.	Nichols
Burke, Calif.	Hébert	Passman
Byron	Heckler, Mass.	Podell
Carey, N.Y.	Heinz	Powell, Ohio
Carney, Ohio	Holifield	Reid
Cochran	Horton	Rooney, N.Y.
Culver	Huber	Rostenkowski
Daniels,	Johnson, Colo.	Scherle
Dominick V.	Jones, Ala.	Shoup
Davis, Ga.	Jones, Tenn.	Sisk
de la Garza	Ketchum	Smith, Iowa
Dickinson	Kuykendall	Steiger, Ariz.
Diggs	Landrum	Stuckey
Dingell	Lehman	Sullivan
Dorn	Lent	Taylor, Mo.
Dulski	Lujan	Thone
Edwards, Ala.	McCloskey	Wyman
Erlenborn	McEwen	Young, S.C.
Evins, Tenn.	McSpadden	Zwach

So (two-thirds having voted in favor thereof), the rules were suspended and the Senate joint resolution was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Rostenkowski and Mrs. Sullivan for, with Mr. Bevill against.

Mr. Erlenborn and Mr. Hébert for, with Mr. Byron against.

Mr. Horton and Mr. Brasco for, with Mr. Mathis of Georgia against.

Mrs. Heckler of Massachusetts and Mr. Rooney of New York for, with Mr. Montgomery against.

Mr. McCloskey and Mr. Podell for, with Mr. Nichols against.

Mr. Fish and Mr. Moorhead of Pennsylvania for, with Mr. Dickinson against.

Mr. Arends and Mr. Bergland for, with Mr. Martin of Nebraska against.

Mr. Heinz and Mrs. Burke of California for, with Mr. Powell of Ohio against.

Mr. McEwen and Mr. Sisk for, with Mr. Steiger of Arizona against.

Mr. Lent and Mr. Madden for, with Mr. Scherle against.

Mr. Dulski and Mr. de la Garza for, with Mr. Lujan against.

Mr. Taylor of Missouri and Mr. Dominick V. Daniels for, with Mr. Kuykendall against.

Mr. Carey of New York and Mr. Carney of Ohio for, with Mr. Goodling against.

Mr. Diggs and Mr. Reid for, with Mr. Stuckey against.

Until further notice:

Mr. Dingell with Mr. Dorn.

Mr. Evins of Tennessee with Mrs. Green of Oregon.

Mr. Jones of Tennessee with Mrs. Griffiths.

Mr. Hanna with Mrs. Hansen of Washington.

Mr. Andrews of North Carolina with Mr. Bell.

Mr. Gunter with Mr. Huber.

Mr. Meeds with Mr. Cochran.

Mr. Culver with Mr. Edwards of Alabama.

Mr. Davis of Georgia with Mr. Hanrahan.

Mr. Holifield with Mr. Landrum.

Mr. Mills with Mr. McSpadden.

Mr. Mizell with Mr. Passman.

Mr. Smith of Iowa with Mr. Shoup.

Mr. Thone with Mr. Wyman.

Mr. Breckinridge with Mr. Zwach.

Mr. Flowers with Mr. Jones of Alabama.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

FOREST AND RELATED RESOURCES PLANNING ACT OF 1974

Mr. RARICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15283) to provide for the Forest Service, Department of Agriculture, to protect, develop, and enhance the productivity and environmental values of certain of the Nation's lands and resources, and for other purposes, as amended.

The Clerk read as follows:

H.R. 15283

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 "Forest and Related Resources Planning Act of 1974".

SEC. 2. FOREST AND RELATED RESOURCES ASSESSMENT.—(a) In recognition of the vital importance of America's forest and related resources to the Nation's social and economic well-being, and of the necessity for a long-term perspective in planning and undertaking forest and related resource programs administered by the Forest Service, the Secretary of Agriculture shall prepare a Forest and Related Resources Assessment (hereinafter called the "Assessment"). The Assessment shall be prepared not later than December 31, 1975, and shall be updated during 1979 and each tenth year thereafter, and shall include but not be limited to—

(1) an analysis of present and anticipated uses, demand for, and supply of the forest and related resources, with consideration of the international forest resource situation, and an analysis of pertinent supply and demand and price relationship trends;

(2) an inventory, based on information available to the Forest Service and other Federal agencies, of present and potential forest and related resources, and an evaluation of opportunities for improving their yield of tangible and intangible goods and services, together with estimates of investment costs and direct and indirect returns to the Federal Government;

(3) a description of Forest Service programs and responsibilities in research, cooperative programs, and management of the National Forest System, their interrelationships, and the relationship of these programs and responsibilities to public and private activities;

(4) a detailed study of personnel requirements as needed to satisfy existing and ongoing programs; and

(5) a discussion of important policy considerations, laws, regulations, and other factors expected to significantly influence and affect the use, ownership, and management of forest and related resource lands.

(b) To assure the availability of adequate data and scientific information needed for development of the Assessment, section 9 of the McSweeney-McNary Act of May 22, 1928

(45 Stat. 702, as amended, 16 U.S.C. 581h), is hereby amended to read as follows:

"The Secretary of Agriculture is hereby authorized and directed to make and keep current a comprehensive survey and analysis of the present and prospective conditions of and requirements for the forest and related resources of the United States, its territories and possessions, and of the supplies of such renewable resources, including a determination of the present and potential productivity of the land, and of such other facts as may be necessary and useful in the determination of ways and means needed to balance the demand for and supply of these renewable resources, benefits and uses in meeting the needs of the people of the United States. The Secretary shall carry out the survey and analysis under such plans as he may determine to be fair and equitable, and cooperate with appropriate officials of each State, territory, or possession of the United States, and either through them or directly with private or other agencies. There is authorized to be appropriated not to exceed $20,000,000 in any fiscal year to carry out the purposes of this section."

SEC. 3. FOREST AND RELATED RESOURCES PROGRAM.—In order to provide for periodic review of programs for management and administration of the National Forest System, for forest and related resource research, for cooperative State and private forest programs, and for conduct of other Forest Service activities in relation to the findings of the Assessment, the Secretary of Agriculture, utilizing information available to the Forest Service and other agencies within the Department of Agriculture, including data prepared pursuant to section 302 of the Rural Development Act of 1972 shall prepare and transmit to the President a Forest and Related Resource Program (hereinafter called the "Program") displaying alternative objectives and associated programs which shall provide in appropriate detail for protection, management, and development of the National Forest System, including forest development roads and trails; for cooperative forestry programs; and for forest and related resources research. The Program shall be developed in accordance with principles set forth in the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215; 16 U.S.C. 528–31), and the National Environmental Policy Act of 1969 (86 Stat. 852; 42 U.S.C. 4321–47). The Program shall be prepared not later than December 31, 1975, to cover the four-year period beginning July 1, 1976, and at least each of the four fiscal decades next following such period, and shall be updated no later than during the first half of the fiscal year ending June 30, 1980, and the first half of each fifth fiscal year thereafter to cover at least each of the four fiscal decades beginning next after such updating. The Program shall include, but not be limited to—

(1) An inventory of specific needs and opportunities for both public and private program investments. The inventory shall differentiate between activities which are of a capital nature and those which are of an operational nature.

(2) Specific identification of Program outputs, results anticipated, and benefits associated with investments in such a manner that the anticipated costs can be directly compared with the total related benefits and direct and indirect returns to the Federal Government.

(3) A discussion of priorities for accomplishment of inventoried program opportunities, with specified costs, outputs, results, and benefits.

SEC. 4. NATIONAL FOREST SYSTEM RESOURCE INVENTORIES.—As part of the Assessment the Secretary of Agriculture shall develop and maintain on a continuing basis a comprehensive and appropriately detailed inventory of all National Forest Systems lands and resources. This inventory shall be kept current so as to reflect changes in conditions and identify new and emerging resources and values.

SEC. 5. NATIONAL FOREST SYSTEM RESOURCE PLANNING.—(a) As a part of the Program provided for by section 3 of this Act, the Secretary shall develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest System: *Provided*, That the Secretary shall consult with the appropriate State and local officials in devising and implementing such land and resource management plans for units of the National Forest System.

(b) In the development and maintenance of land management plans for use on units of the National Forest System the Secretary shall use a systematic interdisciplinary approach to achieve integrated consideration of physical, biological, economic, and other sciences.

SEC. 6. COOPERATION IN RESOURCE PLANNING.—The Secretary may utilize the assessment, resource surveys, and programs prepared pursuant to this Act to assist States and other organizations in proposing the planning for the protection, use, and management of forest and related resources on non-Federal land.

SEC. 7. NATIONAL PARTICIPATION.—(a) On the date Congress first convenes in 1976 and thereafter following each updating of the Assessment and the Program, the President shall transmit to the Speaker of the House of Representatives and the President of the Senate, when Congress convenes, the Assessment as set forth in section 2 of this Act and the Program as set forth in section 3 of this Act, together with a detailed Statement of Policy intended to be used in framing budget requests by that Administration for Forest Service activities for the five- or ten-year program period beginning during the term of such Congress for such further action deemed appropriate by the Congress. Following the transmission of such Assessment, Program, and Statement of Policy, the President shall, subject to other actions of the Congress, carry out programs already established by law in accordance with such Statement of Policy or any subsequent amendment or modification thereof approved by the Congress, unless, before the end of the first period of sixty calendar days of continuous session of Congress after the date on which the President of the Senate and the Speaker of the House are recipients of the transmission of such Assessment, Program, and Statement of Policy, either House adopts a resolution reported by the appropriate committee of jurisdiction disapproving the Statement of Policy. For the purpose of this subsection the continuity of a session shall be deemed to be broken only by an adjournment sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the sixty-day period.

(b) Commencing with the fiscal budget for the year ending June 30, 1977, requests presented by the President to the Congress governing Forest Service activities shall express in qualitative and quantitative terms the extent to which the Programs and policies projected under the budget meet the policies approved by the Congress in accordance with subsection (a) of this section. In any case in which such budget so presented recommends a course which fails to meet the policies so established, the President shall specifically set forth the reason or reasons for requesting the Congress to approve the lesser programs or policies presented.

(c) For the purpose of providing information that will aid Congress in its oversight responsibilities and improve the accountability of agency expenditures and activities, the Secretary shall prepare an annual report which evaluates the component elements of the Program required to be prepared by section 3 of this Act which shall be furnished to the Congress at the time of submission of the annual fiscal budget commencing with the third fiscal year after the enactment of this Act.

(d) These annual evaluation reports shall set forth progress in implementing the Program required to be prepared by section 3 of this Act together with accomplishments of this Program as they relate to the objectives of the Assessment. Objectives should be set forth in qualitative and quantitative terms and accomplishments should be reported accordingly. The report shall contain appropriate measurements of pertinent costs and benefits. The evaluation shall assess the balance between economic factors and environmental quality factors. Program benefits shall include, but not be limited to, environmental quality factors such as esthetics, public access, wildlife habitat, recreational and wilderness use, and economic factors such as the excess of cost savings over the value of foregone benefits and the rate of return on renewable resources.

(e) The reports shall indicate plans for implementing corrective action and recommendations for new legislation where warranted.

(f) The reports shall be structured for Congress in concise summary form with necessary detailed data in appendices.

SEC. 8. TRANSPORTATION SYSTEM.—The Congress declares that the installation of a proper system of transportation to service the National Forest System, as is provided for in Public Law 88–657, the Act of October 13, 1964 (16 U.S.C. 532–538), shall be carried forward in time to meet anticipated needs on an economical and environmentally sound basis, and the method chosen for financing the construction and maintenance of the transportation system should be such as to enhance local, regional, and national benefits. Within one year following enactment of this Act, the Secretary of Agriculture shall prepare and transmit to the Congress an indepth analysis of the various methods of financing the construction of forest development roads together with his recommendations for financing such roads in the future. The analysis shall display the specified costs, results, and benefits of each method of financing forest development roads including the impact of each financing method upon (a) revenue paid the States and counties from national forest receipts and (b) the forest development road and trail funds as provided in the Act of March 14, 1913 (16 U.S.C. 501).

SEC. 9. (a) NATIONAL FOREST SYSTEM DEFINED.—Congress declares that the National Forest System consists of units of federally owned forest, range, and related lands throughout the United States and its territories, united into a nationally significant system dedicated to the long-term benefit for present and future generations, and that it is the purpose of this section to include all such areas into one integral system. The "National Forest System" shall include all national forest lands reserved or withdrawn from the public domain of the United States, all national forest lands acquired through purchase, exchange, donation, or other means, the national grasslands and land utilization projects administered under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525, 7 U.S.C. 1010–1012) and other lands, waters, or interests therein which are administered by the Forest Service or are designated for administration through the Forest Service as a part of said system.

(b) ORGANIZATION.—The on-the-ground field offices, field supervisory offices, and regional offices of the Forest Service shall be so situated as to provide the optimum level of convenient, useful services to the public,

giving priority to the maintenance and location of facilities in rural areas and towns near the national forest and Forest Service program locations in accordance with the standards in section 901(b) of the Act of November 30, 1970 (84 Stat. 1383), as amended.

SEC. 10. In carrying out this Act, the Secretary of Agriculture shall utilize information and data available from other Federal, State, and private organizations and shall avoid duplication and overlap of resource assessment and program planning efforts of other Federal agencies. The term "forest and related resources" shall be construed to involve those matters within the scope of responsibilities and authorities of the Forest Service on the date of this Act.

The SPEAKER. Is a second demanded?

Mr. BAKER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

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

Mr. Speaker, the purpose of the legislation before us is to provide for the protection, development, and environmental enhancement of certain of the Nation's lands and resources. It provides for wise and orderly development of the renewable resources of the forests, range, and associated lands. The intent of the legislation is to establish more and better long-range planning to insure logical programs to preserve the forests. This also involves congressional control over the management activities and appropriation processes of the national forest system lands.

The bill's major provisions require—

First. The administration to prepare a national renewable resource assessment of all such lands and resources, and a Forest Service renewable resource program;

Second. The submission of both the assessment and the program to Congress for review;

Third. The accountability for those budget requests that are insufficient to meet the goals outlined in the national policy statement; and

Fourth. The preparation of an annual progress report by the administration.

In essence, the bill's major provisions reform current procedures for establishing and attaining national goals for the national forest system management and related activities of the Forest Service in research and cooperative programs on other lands. It provides for better resource inventories and analyses of short-term and long-term uses, demands, and supplies of renewable resources. Where presently only the Forest Service and the administration set program goals and policies, under the proposed legislation both the administration and Congress, will jointly establish such goals and policies.

Other positive aspects of the bill will give Congress and the public a greater role in the decisionmaking process of national goals and policies for national forest system land management and provide for a systematic and comprehensive analysis of resource goals, both short and long term, and a periodic review to update programs and policies.

Mr. Speaker, at the beginning of the 93d Congress the Nation was caught in a serious timber supply-demand-price squeeze. Hearings were held by the Committees on Banking, Housing and Urban Affairs and Banking and Currency because of the serious lumber shortages facing the housing industry in some areas of the country. Bills were introduced in both Chambers to regulate log exports to guarantee sufficient domestic supplies. Realizing the contribution which private forest lands must make to assure adequate supplies of timber in the future, the committee included in the Agriculture Consumer Protection Act—Public Law 93-86—a pilot program to provide incentives to private forest landowners to encourage forest landowners to increase timber production or other resource improvements on private lands.

During this period two major reports were released by the Executive, one by the President's Advisory Panel on Timber and the Environment, the other by the Forest Service entitled "Outlook for Timber in the United States." Both reports concluded that significant improvements in management of the Nation's forest and related resources must occur if future demands for these resources are to be met at reasonable prices.

Appropriately Congress turned its attention to the management of the national forests. During appropriations hearings on the Forest Service fiscal year 1974 budget request it was established that the Forest Service was facing a reduction of some 1,500 personnel in fiscal year 1974. It was also established that funding requests for management of the national forests was far short of the needs for reforestation and timber stand improvement on national forest lands.

In response, bill's were introduced in the Senate to provide for long-term investments in timber and other resources of the national forests and to assure an adequate funding base for managing national forest resources.

Hearings were held on some of these bills before the Senate Committee on Agriculture and Forestry. The administration testified that special funds from national forests receipts would not be sufficient to cover national forest investments. Conflicting testimony from timber industry spokesmen and conservation organizations raised questions about placing priority on only one of the forest timber resources. During the hearings it also became clear that the Congress lacked a useful framework for considering legislation to establish long-range forest policy.

On November 7, 1973, I introduced H.R. 11320 in the House to provide such framework. H.R. 15283 is a successor bill.

H.R. 15283 is landmark forestry legislation. Under the bill the Forest Service would be required by statute to engage in long-term planning. Until now the Congress has had inadequate and incomplete information about which to make annual appropriation decisions for Federal forestry efforts. In the absence of a long-term program for the national forests, the Congress could only determine the cumulative effect of annual budget and appropriation decisions after the fact.

The assessment called for in H.R. 15283 will place before the Congress comprehensive data on the state of our Nation's forests and related resources and the anticipated demand, supply, use, and price of these resources. The accompanying resource program in which the President will recommend future forestry program objectives and levels of funding will give the Congress a foundation on which to review program accomplishments, evaluate the effectiveness of current forest policy, and establish meaningful forestry goals. Both the Congress and the Executive will have the tools now to develop sound plans and policies for the future of forests and related resources. And the public will also for the first time have the opportunity to view the total forest resource situation and the outlook for the future.

The need for legislation to provide a long-term perspective on the Nation's forest and related resources has been recognized by conservation groups as well as commodity users of the national forests. Also, in his report to the committee on H.R. 11320, the Secretary of Agriculture acknowledged the need for a "better defined, long-range perspective on national forestry programs" and noted that such a long-range view is a "prerequisite to meeting future demands for forests and related resources." The Secretary further pointed out that the formulation of sound national forestry goals, establishment of meaningful investment priorities, and forestry program accomplishment would benefit from joint consideration by the Congress and the administration.

The Forest and Related Resources Planning Act of 1974 is the latest in a long line of legislation expressing the intent of Congress to guide the Nation's forest policy, and is in consonance with the Organic Act of 1897, the Multiple Use Act of 1960, Wilderness Act of 1964, and the National Environmental Policy Act of 1969.

As such, it is a substantial step forward. This bill would assure that Congress, and through it, the whole nation, would have at hand the necessary and essential facts upon which to base wise decisions to direct policy for the national forests. In this way, Congress will enhance its historic oversight role while providing for an orderly process for more careful planning for the national forests and related resources.

Mr. Speaker, the committee amendment represents a technical change and is perfecting. The committee agreed to delete the word "two" on page 10, line 10, and insert in lieu thereof the word "the". This amendment is perfecting and does give the Secretary some degree of discretion in recommending changes in the method of financing the construction of forest development roads.

Mr. Speaker, the bill before us was reported by unanimous voice, there is no committee. So far as I know, there is no dissent from the basic concept of the bill before us. I urge the adoption of the bill before us so that the Congress can

proceed to provide for wise and orderly development of the renewable resources of the forests and related resources.

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

Mr. Speaker, I rise in support of H.R. 15283, the Forest and Related Resources Planning Act.

This legislation, which is based on the recommendations of a Presidential Task Force on Timber and the Environment, has been thoroughly considered by the Subcommittee on Forests of which I am a member.

The bill has the support of the U.S. Forest Service and was reported without dissent by the full Committee on Agriculture.

As far as I know, there is no serious objection to the enactment of this legislation.

The basic thrust of this bill is to establish a long-range planning effort for the development of America's public resources on the lands administered by the U.S. Forest Service. All too often in the past, the priority for effective and coordinated planning about the use of these precious resources has not been given the high priority it needs. This bill seeks to do so in several ways:

First, it requires the administration to prepare a national renewable resource assessment of all such lands and resources, and a Forest Service renewable resource program.

Second, it requires the submission of both the assessment and the program to Congress for review.

Third, it provides for the accountability for those budget requests that are insufficient to meet the goals outlined in the national policy statement.

Finally, it mandates the preparation of an annual progress report by the administration.

At one point this bill was enmeshed in a dispute over mandatory spending and impoundment issues entirely collateral to the merits of the long-range planning efforts established by the bill. The Forests Subcommittee and the full committee have dealt with that problem by deleting these provisions, but we do insist that there be concrete and positive action by the administration as well as offering the Congress an appropriate voice in the development of this important program.

In summary, this bill is needed in order to bring greater coordination and thought into the use and management of a resource which our country has been blessed with and which if used wisely in the years ahead will bring greater benefit to all our citizens.

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

Mr. BAKER. Certainly, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I have a question concerning the cost of this bill.

On page 11 of the report it is indicated that the cost is $2.9 million a year. On page 4 of the bill it states:

> There is authorized to be appropriated not to exceed $20 million in the fiscal year to carry out the purposes of this section.

What is the annual cost of this bill?

Mr. BAKER. The authorization is an increase from $5 million to $20 million, but it is estimated that the initial cost in the first year will be $700,000, and in the fourth year it would be $2.9 million, according to our report.

Mr. GROSS. Is the life of this authorization 4 years?

Mr. BAKER. It is permanent legislation.

Mr. GROSS. Permanent legislation?

Mr. BAKER. Yes.

Mr. GROSS. So that it can go on indefinitely?

Mr. BAKER. But the moneys would have to be appropriated year by year.

Mr. GROSS. I understand that, but this would authorize a $20 million annual appropriation each fiscal year into infinity; is that right?

Mr. BAKER. The authorization in the bill, I would say to the gentleman from Iowa, provides money for these purposes, and that any money we spend for natural resources and reforestation in our forests so as to provide timber for the Nation and to develop wood products for our consuming public, would not be a high price even if we had to use it, but I do not think we will.

Mr. GROSS. What does the gentleman think would be used each year?

Mr. BAKER. I think we would use what the report cites there.

Mr. GROSS. $2,900,000?

Mr. BAKER. The Forest Service estimates $2.9 million in the fourth year.

Mr. GROSS. I am disturbed, I will say very frankly to the gentleman, by this authorization of $20 million for each fiscal year into the unknown future; this projected obligation.

Mr. BAKER. There is a good probability, the gentleman knows, of getting money back from the Forest Service through timber harvest, and we have been getting that year after year. With a higher yield, we should get more so that we have the opportunity of recovering something.

Mr. GROSS. How will that be returned to the Treasury?

Mr. BAKER. It is not returned to the Treasury directly, but it is returned to the Treasury through the wood products industry.

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

Mr. BAKER. I yield to the gentleman from Oregon.

Mr. DELLENBACK. I appreciate the gentleman's yielding.

Mr. Speaker, in response to the very good question of the gentleman from Iowa, under the projection of the bill there would be a much more coordinated management and, hopefully, yield from the national forests. The proceeds of the national forests go at the present time 25 percent to the area and 75 percent to the general fund of the Treasury, so that anything which increases the yield from the national forests under the present practices will return in this particular circumstance many times over in dollars to the general fund and, thus directly affect our economic balances.

Mr. BAKER. I thank the gentleman for the informative statement.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I hope that is the case, but that is very often not the way things turn out. Somehow or other they find ways and means of siphoning off funds of this type, siphoning them off and spending them in other directions, and they never get back to the Treasury.

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

Mr. BAKER. I yield to the gentleman from Oregon.

Mr. DELLENBACK. I appreciate the gentleman's yielding.

If I may make an additional comment on that, I understand the concern of the gentleman from Iowa and why he says that this is a very unusual circumstance. Those of us who come from the foresting areas realize that it is a very unusual circumstance, and this is one of the things that has so deeply concerned us when the Office of Management and Budget has been unwilling to make the additional dollars available which will not only improve the yield of the forests, which will not only make the raw material available as the Nation needs it, but actually, unique as it may be, will actually yield additional dollars to the general fund.

Mr. BAKER. I thank the gentleman for his statement.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. HAMMERSCHMIDT).

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 15283, Forest and Related Resources Planning Act. In my judgment, this legislation directing the U.S. Forest Service to conduct various studies in order to develop the productivity levels and environmental values of the Nation's forest lands and related resources is of great importance in meeting the multiple demands of the future. The American people have been blessed with a land which is richly endowed with a variety of wealth in its forest resources. Since its creation by Congress in 1911, the U.S. Forest Service has discharged the responsibility for developing and protecting over 187 million acres of national forest and grasslands, conducting research and cooperating with States and private landowners in resource protection.

The guiding policy of the Forest Service is to utilize forests and related resources in a planned manner without impairing productivity of the land, and in the past several years controversy has focused on timber production and escalating lumber prices. In 1973, the President's Advisory Panel on Timber and Enviroment recommended retention of the clearcutting method of tree harvesting and substantial increases in the annual timber harvest. Congress has not acted upon the panel's far-reaching and comprehensive 20 major recommendations, which span the pages of a 541-page report. However, H.R. 15283 provides a vehicle for conducting further studies and gathering more information upon which to base a comprehensive national forest and related resources policy.

Through indepth analysis of the uses and demands for the Nation's forest, H.R. 15283 takes the basic planning steps toward the goal of a long-term, sound forest management program. It includes the fiscal increments so essential in carrying out such a program. Time is of the essence in undertaking such an effort as authorized by H.R. 15283. It is estimated that there are currently 5 million acres of Federal lands on which timber should be replanted to meet our future needs, and it takes years to grow the supply of timber to meet the expanding human needs for homes, for paper, for furniture, and for the myriad of other wood fiber uses. While it is likely that choice hardwoods will be in short supply in the decades ahead, the softwood supply is becoming critical. In the past 18 years, harvest removals have exceeded growth on American forest lands. The economy of our country relies heavily on softwoods, in that they are used not only for lumber and plywood but also for paper and paperboard products.

H.R. 15283, in assessing the management of both public and privately owned forest lands, can assist in increasing the quality of management techniques. Due to the great importance of forest lands in sustaining wildlife, safeguarding watersheds, and other vital ecological purposes, it is essential that commercial forest lands be utilized for maximum productivity.

If we are to meet the wood products needs of this decade and the next, complex questions must be answered, such as at what rate should the old growth inventory on the national forests be converted into well-managed new timber stands to meet current and future timber demands. H.R. 15283 carries an estimated cost of $7.6 million over the next four years, and it constitutes a prudent investment of taxpayers' funds. From the standpoint of economic well-being, forest products industries comprise one of the largest industrial complexes in the United States. Logging, lumbering, plywood, pulp, paper and furniture production employ more than 1.5 million persons earning some $12 billion a year. The contribution of forest industries does not end there, however, but continues in the economic chain to provide the basic substances upon which our chemists, engineers, printers, carpenters and countless other livelihoods are dependent.

In the last 30 years, utilization of wood products has doubled. Projections to the year 2000 for softwood demands would require almost doubling the 1970 domestic production—from 45 billion board-feet to 74 billion. It will require intensified forest land management and increased investment to produce significant increases in timber production by the turn of the century. In the face of this prospect, the acreage of commercial forest land in the Nation has declined by 8.4 million acres since 1962; and destructive agents such as fire and insects continue to nullify one-fifth of our annual sawtimber growth.

H.R. 15283 is a responsible commitment to the future, and I urge its approval.

Mr. BAKER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Speaker, I would like to voice my strong support for forest and related resources planning legislation presently before us for consideration.

This bill is one in a series of legislative proposals I have supported which constitute a unique, comprehensive concept that will combine protection of our existing forest resources; enhancement of areas with reforestation potential; and utilization of increased research to resolve forest-related problems. This proposal is a key step in the development of this concept.

Our forests should be among our Nation's first economic and environmental priorities in light of the growing concern for environmental problems and the increasing demand and decreasing supply for forest products.

This bill directs the U.S. Forest Service to develop the productivity levels and environmental values of the Nation's forest lands and related resources. It provides for better resource inventories and analyses of short-term and long-term uses, demands and supplies of renewable resources.

The intent of the legislation is to establish more congressional control over the management activities and appropriation processes of the National Forest System lands. Such oversight is vital to the accomplishment of the goals and priorities this body has already recognized as crucial to the protection and proper use of our forests.

"Renewable" is the key word in any discussion of forest resources management. Properly and wisely managed our forests can supply their varied bounty forever. We must see that this is insured.

If we are successful in maximizing the yield from our forest producing lands, everyone will benefit, the consumer, the economy, the environment, and the communities supported primarily by a forest products industry based economy. Under proper management, this program can be self-sustaining with more revenues returned to the Treasury in years to come than originally invested. I strongly support passage of this timely legislation.

Mr. BAKER. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. LOTT).

Mr. LOTT. Mr. Speaker, as a member of the National Forest Reservation Commission and as a Member of Congress whose district contains acre upon acre of unspoiled natural beauty. I have more than a passing interest in the protection, development, and environmental enhancement of this Nation's land and natural resources. With that in mind, I want to voice my strong support of H.R. 15283, the Forest and Related Resources Planning Act of 1974.

We can look around us today and see the need for a more systematic, comprehensive analysis of national land management and resource goals. H.R. 15283 will provide just such an analysis. It will give Congress and the public a greater role in the decisionmaking process of national goals and policies of land and resource management.

In essence, the bill's major provisions reform current procedures for establishing and attaining national goals for the national forest system management and related activities of the Forest Service in research and cooperative programs on other lands. Additionally, it provides for better resource inventories and analyses of short-term and long-term uses, demands, and supplies of renewable resources.

Mr. Speaker, I heartily endorse this bill and urge my colleagues to give it their most careful consideration.

Mr. WYATT. Mr. Speaker, I have been advised that there is some question as to whether the administration supports or objects to this bill. I have been advised by the White House Legislative Liaison Office that it will urge the President to sign this bill after the House passes it, so that should resolve that question, I believe.

The President's Advisory Panel on Timber and Environment made recommendations that the purposes set forth and the directions set forth in this bill be adopted. The President sent that Advisory Panel report to the Office of Management and Budget with instructions to implement it. It has sat there for months and months and months with no action whatsoever. The Subcommittee on Appropriations for Interior and Related Agencies, on which I sit, has just 2 weeks ago added $15 million for reforestation to the budget, but we need this bill in addition for orderly planning if we are to provide fiber for the future, and if we really mean business about meeting the housing goals that we have set for ourselves. We simply must have some kind of long-range planning and inventory as to what our needs are.

We cannot just go along from mouth to mouth, so to speak.

The gentleman from Iowa has raised a question about the cost of this bill and I yield to the gentleman from Louisiana for remarks on that specific point because I think the gentleman has raised a very good point.

Mr. RARICK. I thank the gentleman from Oregon for yielding.

I feel that the gentleman from Tennessee (Mr. BAKER) has explained the costs of the bill to my dear friend the gentleman from Iowa (Mr. GROSS). All I can say is, the question he raises emphasizes one of the purposes for the legislation, that this is one of those rare instances where we hope to save money by spending money.

Certainly, as the gentleman from Oregon knows as a member of the Appropriations Committee, year after year the Appropriations Committee appropriates money, and we have no way of knowing whether it is adequate or whether it is

being properly used for the purposes for which it was intended. Here we are requiring the Forest Service to come back to the Congress with a report and with factual information so we will know whether the money is being used wisely for the American people and so that we can make reasonable decisions in the best interests of our people.

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

Mr. WYATT. I yield to the gentleman from Idaho.

Mr. SYMMS. Mr. Speaker, I rise in support of this legislation.

I thank the gentleman from Louisiana (Mr. RARICK) at this time for the leadership he has given us on the committee to help move this legislation along. Chairman RARICK has been a leader in improved forest practice legislation all through the 93d Congress—and I am proud to be a member of his subcommittee, and to be associated with him on this and other legislation.

For the Members who come from public land States, as the gentleman in the well (Mr. WYATT) and I do, we know and see daily how much better a job we could be doing with our national forestry resources if we would treat them with the same consideration and with the same enthusiasm for good management as the private lands are managed. I think we can greatly enhance the use of our forest land if we pass this legislation. It gives the U.S. Forest Service the tools to work with to carry out their assignment.

Would the gentleman in the well agree with me that this is a pennywise-pound foolish policy the OMB has taken in the last few years with respect to the road moneys?

Mr. WYATT. I certainly would agree with my friend, the gentleman from Idaho. The OMB in the 10 years I have been in the Congress has taken an extremely short view, a pennywise and pound foolish policy.

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

I think this long-range point of view is what we are trying to mandate to the Forest Service. Then they can go out and do the job they are supposed to do by law, which is to give us sound long-range planning for proper utilization and protection of forest resources. Maybe this does not mean a great deal to some Members but to those of us from the timber States it means we are doing pretty well now, but we could do so much better. To improve our timber stands through long-range management will be of great benefit to all the American people.

I think it would be in the best interests of the country to pass this legislation.

Mr. WYATT. I thank the gentleman from Idaho.

Mr. RARICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Speaker, the Forestry and Related Resources Planning Act is just what the name implies. It is planning legislation which is needed to help insure that America's vast and abundant forestry resources are managed in such a way that will guarantee the Nation's future wood needs. I commend the distinguished Committee on Agriculture and its members, and in particular, I wish to call attention the dedicated efforts of the distinguished gentleman from Louisiana (Mr. RARICK) in bringing this bill to the floor. I am very pleased to have been a cosponsor of the bill.

There have been many studies on the Nation's timber needs. There still is a requirement for a comprehensive planning act which embraces the entire field of forestry and outlines a pattern for the most effective preservation, expansion, and utilization of forest resources. Congress will do well to give its wholehearted endorsement to this legislation.

We are among the richest of nations in bountiful forests. But the present energy and fuel shortages have brought home forcefully and clearly that, if we are to remain anywhere near self-sufficient in resources, we simply must do more long-range planning in this field.

Wood, among all industrial natural resources, is the only one that is renewable. There is no need, no reason—save our own indifference and ineptitude—for America ever to run out of wood. Yet, if we do not begin the planning process now—setting goals, establishing priorities, and implementing essential timber-growing programs—we will have a substantial gap between what our economy and people demand and what our forests can supply well before the 21st century.

Our Nation's timber needs have been exhaustively studied. Within the past year, three comprehensive reports have been issued on our wood fiber requirements, the present rate of growth of our forests, and the potential for tree growth. The documentation is overwhelming that, unless we begin immediately to intensify tree growing and the management of our forests, we will be woefully deficient in wood fiber for the thousands of products made of wood—the major ones being building materials, paper, and furniture.

The reports I refer to are: first, the Forest Service's "Outlook for Timber in the United States," the latest 10-year study of the Nation's timber supply and demand and projections of whether we will be able to meet that demand; second, the report prepared for the National Commission on Materials Policy, "Timber: The Renewable Material," and third, the report and recommendations of the President's Advisory Panel on Timber and the Environment.

The report for the National Commission on Materials Policy was prepared by its consultant for timber, land use and fibers, Edward P. Cliff, retired chief of the U.S. Forest Service. In a recent speech to the National Academy of Sciences-National Academy of Engineering, Mr. Cliff made an important statement. He said:

> This country has the potential of doubling the production of timber by the year 2020 by widescale application of intensive management practices on all commercial forest lands of all ownerships. This would require prompt reforestation of all deforested and understocked lands, use of genetically improved planting stock, intensive timber culture such as thinning for optimum spacing, fertilization where needed, and much more intensive utilization.

Mr. Cliff is not alone in this view. Experts in forestry in all regions of the country share his optimism that our Nation's timber production can be doubled—even tripled—by the next century if we aggressively apply the science and technology available to us for growing trees. What we have got to do is start the planning process to launch such an intensive timber-growing effort nationwide.

H.R. 15283, is just such a beginning. It calls for long-range planning and budgetary considerations to achieve a 50-year development plan for the National Forests. It is a breakthrough. It's aim is to raise National Forest management from its traditionally low-priority status to full productivity and utilization of the timber and other values these public lands can provide by the year 2000.

The National Forest System embraces 187 million acres. Nearly half of this magnificent public asset—90 million acres—is classified as commercial forest land. These 90 million acres, mostly in the West, contain 52 percent of all of the Nation's standing trees of sawtimber size. These are the species of trees used to make lumber and plywood for housing and construction, for pulp in the production of paper and paper products, and for thousands of other products.

The three timber studies I mentioned earlier all revealed that the next two decades are a crucial period for developing U.S. forest resources. Since 1968, we have experienced too many timber supply shortages, with resulting high prices for wood products, to leave any doubt that we face another wood crisis when housing rebounds. We went through such crises in 1968–69, in 1972–73, and we can look for a similar situation in 1975, when housing is expected to break loose from its tight-money shackles.

The potential for tree growth in our country is enormous. According to Forest Service figures, actual growth for all forest ownerships in 1970 averaged only 49 percent of potential. The national forests showed the poorest record with 39 percent, and industrial forests the best at 59 percent. Tree growth nationwide could be doubled merely by reforesting lands that are not now stocked, applying timber stand improvement practices to growing forests, harvesting overaged timber that shows little or no new growth, and promptly replanting harvested lands with fast-growing young forests.

With more intensive forest management practices—such as those enumerated by Mr. Cliff—like planting genetically improved seedlings, precommercial thinnings for best spacing, and fertilization—many experts believe tree growth could be increased even more.

Congress has an unprecedented opportunity to play a leadership role—by setting goals, determining priorities, monitoring progress, and insisting on per-

formance—in getting this essential timber-growing job done.

Last year Congress took advantage of an opportunity to help small private nonindustry woodland owners by approving a forestry incentives program to assist with reforestation, stand improvement, and other cultural programs on the forest lands held by these 4 million plus owners. I am proud to have been a sponsor. It was a beginning, and it is proving enormously successful. But here, too, we can do much more to help in bringing these lands into full productivity to meet America's future wood needs.

In this age when we must worry about depletable resources, what an opportunity we have to guarantee future generations of Americans that our major renewable resource—wood—is in adequate supply. Trees are unique living things. They use only the energy from the sun to grow and renew themselves. It takes less energy to process wood than metals or plastics. Wood products that cannot be recycled are biodegradable. No other natural resource offers such environmental and energy-conserving advantages.

Mr. Speaker, it is entirely possible that the proposed Forestry and Related Resources Act is the most important piece of natural resources legislation we have considered in this session. This legislation has bipartisan support in the House, as it did in the Senate when a counterpart was passed last year. It has the backing of the forestry profession, of the forest products industry, of the homebuilding industry—so necessary to the well-being of our general economy—and it has the support of many responsible conservation organizations.

Why is passage of this bill necessary? The answer is demand—demand for wood to build the houses our people need and to supply the thousands of other wood products we all use every day; demand for recreation in green forest lands by people who more and more have learned to appreciate this country's bountiful forest land, and demand for keeping our forests in a healthy, growing, and ever-renewable condition.

All this demand for living forestland and for forest products of all kinds can be met only if we grow and manage this renewable resource as we should and can. American foresters and timber growers, in and out of government, have the know-how to grow enough trees and they can do the job, supplying enough timber far into the next century, if we but give them the go-ahead. And they can do this while enhancing the environment.

What is needed is long-range planning. The legislation before us today would provide for that long-range planning in our national forests, where timber productivity has a great potential. The bill would establish a management plan under which Congress—all of us here in this Chamber—would check periodically to insure that performance and funds are targeted to accomplish the objectives.

As we all now recognize, we are living in an era of energy shortages and environmental concern. The warnings of pending energy shortages were sounded some time ago. And the Nation did not act in time. We will be paying for this for years to come. Warnings are now being sounded of a wood shortage—and we must heed them.

Why are we faced with a wood shortage ? Again—demand. Demand springing from a growing population with ever-growing desires for more of the products that are derived from food fiber—lumber, plywood, paper and paper products, furniture, chemicals, and a multitude of others.

The Forest Service knows how to grow the trees to meet this demand if it is given the tools. We in Conress can provide the policy commitment that is essential—through the bill before us today.

U.S. demands for industrial timber products have increased steadily during the past three decades. Consumption of industrial wood products rose 65 percent between 1942 and 1972 to an annual total of 125 million tons. During this period lumber consumption increased 27 percent, round pulpwood 157 percent, and veneer and plywood 438 percent. And further substantial increases can be expected in the fuutre.

The Forest Service estimates that with timber product prices holding at 1970 prices relative to other materials, demand for roundwood will nearly double by the year 2000. There will be a tightening demand-supply situation in the United States unless supply can be increased by accentuated improvement in management of forest lands and improved utilization of available timber.

Timber growth has been increasing as a result of recent forestry programs, primarily because of better protection against fire, increases in tree planting, and other forestry measures. Total growth now actually exceeds total removals. However, much of the growth is on sizes and kinds of timber and in locations that do not meet our most urgent needs.

These are reasons the Forest and Related Resources Planning Act is needed. This country indeed has the potential of doubling its timber production by the year 2020, with the application of intensive management practices on all commercial forest lands.

This would require prompt reforestation of all deforested and understocked lands, as well as the application of silvicultural programs by man to help nature produce bigger, taller, straighter trees in a shorter period of time.

The United States became a net importer of wood products in 1941, despite our vast timber resources and great timber-growing potential. Lumber imports actually have climbed steadily while exports have remained fairly stable. Wood is an international commodity, and it is in short supply worldwide. With our great timber-growing potential, we could reverse our import-export trend for wood.

In the future, we may have to depend more and more on imports for many other essential raw materials. This will mean an outflow of dollars. At the same time, much of the rest of the world will need more timber—just as we will. By developing fully our timber-growing potential, the United States could become a world supplier of wood products. By selling wood abroad we could recoup some of the dollars that may be flowing out of the country for the other basic raw materials we need.

H.R. 15283 offers numerous opportunities for development of timber, recreation, water, wildlife, and grazing in our national forests. It also offers us a chance to greatly improve the social and economic environments for millions of Americans. Let us not miss these opportunities. Let us pass H.R. 15283, so we can begin the job that will spur multiple benefits for all Americans.

Mr. RARICK. Mr. Speaker, I yield 2 minutes to the gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO of Wyoming. Mr. Speaker, I was reluctant to support this legislation because I had been told by officials of the Wyoming Conservancy Districts Mr. Dan Budd, Mr. Blaine Halliday, and Mr. Don Hood of their deep concern. I was happy to learn from the Committee on Agriculture that the reserations expressed by those gentlemen had been met in the markup of the bill in the committee yesterday and consequently I am happy to rise in support of the bill as now reported.

I hope that the improved forestry methods contain a great deal to make the lands more productive and to save waste that we find in the national forests and that they can give us the yield so necessary in the multiple-use concepts which we hope will govern the use of these resources.

Mr. Speaker, I thank the gentleman for yielding and I hope this bill will pass handsomely today.

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

Mr. RARICK. I yield to the gentleman from Montana.

Mr. MELCHER. The intent of the bill is not to change the jurisdiction between the House Committee on Agriculture and the Committee on Interior and Insular Affairs, as is stated in the report the gentleman has submitted with the bill?

Mr. RARICK. I assure the gentleman that that is correct. The committee has no intent nor desire to extend its legislative jurisdiction to properly reside in any other committee of Congress.

Mr. MELCHER. I believe that the report where it refers to national forests from public domain is subject to our concern, because rule XI as it relates to the jurisdiction of the Committee on Agriculture states in section 1(m):

> Forestry in general, and forest reserves other than those created from the public domain.

The gentleman is aware that much of the forest is in the public domain and under rule XI–10(a):

> Forest reserves and national parks created from the public domain remain under the jurisdiction of the Committee on Interior and Insular Affairs.

Mr. RARICK. I can only say to the gentleman it is not our desire to extend the existing jurisdiction of the Committee on Agriculture in any way.

Mr. MELCHER. I think the point as

established by the gentleman is that this bill's passage is not meant to change the jurisdiction under the rules, the question between the Committee on Agriculture and the Committee on Interior and Insular Affairs is abundantly clear and the gentleman has no intent in this legislation to change that status.

Mr. RARICK. I would say to the gentleman, who is also a member of the Subcommittee on Forests of the Committee on Agriculture, that my answer is "Yes," in the affirmative.

Mr. ULLMAN. Mr. Speaker, we are considering legislation today of major environmental importance.

We are talking about a bill that will affect nearly one-tenth of all the land in our Nation, half of our standing sawtimber, outstanding recreational opportunities that in a quarter of a century will average 600 million visits annually, vital watersheds in most of the country's main river systems, home for one-third of our big game, and most of our classified wilderness.

How we plan for and manage these magnificent resources is a game with big stakes. Unless we take bold and imaginative action now, the odds against us in this game are going to grow. The bill we are considering today, the Forest and Related Resources Planning Act of 1974, offers us an opportunity to lessen those odds—a chance, in fact, to get ahead of the game. For the Nation as a whole, this is extremely important. For Oregon, it is vital. More than half of Oregon is owned and managed by the Federal Government. In my district alone there are nine national forests.

I want to commend the Committee on Agriculture, and particularly the Subcommittee on Forests, for the hard work and effort they have put into the writing of this bill. It is the outgrowth of more than a decade of growing concern, and at least 5 years of intense discussion by the Forest Service itself, private timber companies, environmental and recreational organizations, and the Congress.

With the accelerating demand for timber from our national forests and the increased concern for their environmental and recreational potential, the question of forest and resource management has become a difficult and hotly debated subject. There have been at least five major private and public studies of the problem in the last 5 years. There have been lawsuits. There have been increased demands on the Forest Service and the Bureau of Land Management. And there have been strong disagreements over the budget and personnel levels necessary for these agencies to meet the tasks assigned them.

The last three times I testified before the Appropriations Committee I have sought considerable increases in Forest Service funding to meet both present management needs and necessary reforestation efforts. Yet the problem of what level of funding should actually be committed and how best to meet the diverse demands of multiple use has not been resolved because, until now, there really has been no blueprint of where we want to go and how we should get there. The Forest and Related Resources Planning Act of 1974 is a good answer to that problem. It requires both the long-range planning we so desperately need, and a mechanism for evaluating budget requests realistically. It also addresses itself to the question of forest roads.

The long-run possibilities of improving timber supplies without unbalancing the delicate scale of multiple usage are potentially great. But, as the National Commission on Materials Policy accurately states, full funding, high-quality management, and a balanced program are imperatives.

The goals we seek are attainable only if we resolve the problem of forest roads, and only if the Federal Government is willing to commit itself to intensive timber management in a timely manner on the lands where timber will continue to be the primary use, and to provide adequate funds for high-quality administration.

But that will not be enough. We must also require a balanced program with adequate funding to lessen the impact of timber harvesting on other resources, and to develop and manage the recreation, wildlife, watershed, and range resources in harmony with timber production and the protection of environmental values.

Events of the past several years have strongly emphasized that the leading conservation organizations and the public will resist increased timber production from the national forests if it is not within the framework of a high-quality, balanced program.

The legislation we are considering today will provide us with a blueprint for that program, and a necessary gage for costs. The costs will be high, as I said, and the problems difficult. But at least we can finally establish rules for the game.

Our timber lands are our greatest renewable natural resource—but only if we take the time and effort to renew them.

Mr. BLATNIK. Mr. Speaker, I rise in support of the pending bill and congratulate the chairman of the Committee on Agriculture, Mr. POAGE, chairman of the Subcommittee on Forests, Mr. RARICK, and the members of the committee for the diligent and expeditious way that they have moved this bill forward.

This is a constructive conservation bill which, when enacted into law, should measurably assist the American people in realizing the multiple-use benefits that will come from a sustained yield of the renewable resources of our Nation's forest and rangeland. It will enable the Secretary of Agriculture to pace the efforts of the Department so that the Federal lands under the Department's administration can make an effective contribution to our resources on a long-term basis. In addition, through the device of the national assessment it will be possible for other Federal, State, and private managers of forest and rangeland to have a better focus on how their management efforts can support needed national goals.

The heart of this bill, as the Senate bill, is cooperation in gathering facts, assessing what they mean, formulating programs and seeing that the ways and means are applied to carry them out. It includes a number of programs that are designed to aid the States and to assist the owners of forest and rangeland with advice and material assistance. The Federal role goes considerably further on the Federal lands—here the responsibility is to act—for these are lands under Federal administration. The whole range of services that SCS, FHA, and other agricultural programs bring to the rural landowner, farmer, and rancher, ought to be brought into play by the Secretary so that these landowners will secure the help they deserve in promoting the best management of their land.

Although I do support the basic provisions of the bill, I do have questions about the section on forest roads and trails contained in section 8 of the House bill.

Over the years the Committee on Public Works has given comprehensive consideration to the need for a sound authorization for forest roads and trails. The committee conservatively raised the authorizations and requested that special emphasis be given to constructing multipurpose access roads with appropriated funds. In contrast, the Executive has failed to use the full authorization and, instead has secured roads that are only to the standard needed for timber harvesting by "back-door" financing—reducing the price of timber sold by the estimated cost of the road needed to harvest that timber. Last year the administration impounded substantial blocks of the funds appropriated as part of a shift in emphasis, but which directly contradicts the law.

On March 15, 1974, I pointed out these contradictions to the Committee on Agriculture, expressing my interest in retaining the language of the Senate bill in section 9. This would require the Executive to use the current year authorization for forest roads and trails before utilizing the timber revenue reduction method which would become only a method of financing.

While the broad purpose of this bill has my support, I do favor the stronger Senate version on this section of the bill. I have enjoyed a long and close working relationship with Mr. HUMPHREY, the chief Senate sponsor of the bill. I commend and support his effort to set a priority in the use of appropriated funds for road construction while still permitting needed roads to be constructed where timber purchasers can properly do this work. The Senate language is a sensible restriction on "back-door" spending.

When this bill started on its way there was considerable argument among various groups concerned with resource conservation. One of the most important things which has occurred in the past several months is agreement on many important things. The goal of this bill is to secure for the American people a

solid, comprehensive assessment of the resources on our forest and rangeland instead of a series of well intended but disjointed separate assessments of resources. This will permit more rational planning for multiple use on a sustained yield basis both in the private sector and the public sector.

This legislation wisely provides for regular review and reconsideration of the situations so that timely action can be taken to meet present and future resource needs.

In Minnesota, this bill will help us to enlarge and perfect the multiple use of our Nation's forest lands, State and private woodlands. We do not have the type of rangeland in Minnesota that exists in the States to the West and are an important part of the Federal, as well as non-Federal lands of that region. It would be my hope, based on the experience that I have gained on the Committee on Public Works, that this legislation would pave the way for a renewed constructive recognition of how important these lands are to vital watershed and wildlife resources for our Nation.

The Committee on Agriculture is to be commended for its prompt attention to this legislation.

The SPEAKER. The question is on the motion offered by the gentleman from Louisiana (Mr. RARICK) that the House suspend the rules and pass the bill (H.R. 15283), as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from further consideration of the Senate bill (S. 2296) to provide for the Forest Service, Department of Agriculture, to protect, develop, and enhance the environment of certain of the Nation's lands and resources, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2296

An act to provide for the Forest Service, Department of Agriculture, to protect, develop, and enhance the environment of certain of the Nation's lands and resources, 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 "Forest and Rangeland Environmental Management Act of 1974".

SEC. 2. FINDINGS.—The Congress hereby finds and declares that—

(a) the air, soil, water, plants, and animals are resources that are finite and renewable,

(b) the minerals are not a renewable resource,

(c) the conservation of the environment and esthetic values is essential to achieving an ecologically healthy and economically functioning resource base,

(d) the United States is richly endowed with land bearing, or capable of bearing, forest trees as its principal vegetal cover, land bearing, or capable of bearing forage as its principal vegetal cover and other associated lands, some of which contain both types of cover, which lands by their very nature produce, or are capable of producing multiple renewable resources, products, and benefits,

(e) the maintenance and wise management of these lands and their renewable resources are vital to the Nation's vigor.

(f) the Forest Service, in the Department of Agriculture (hereinafter called the "Forest Service"), is responsible for essential programs and services which must be maintained on an integrated basis, including programs to aid private and State forest land managers through cooperative efforts to achieve resource management goals, programs of research which produce knowledge that can be disseminated to improve achievements, and through the management of the National Forest System,

(g) comprehensive inventories and planning are needed to secure the greatest net public benefit from Forest Service cooperative programs, research, and National Forest System management,

(h) proper levels of funding for investment in managing the various activities and programs of the Forest Service are essential to achieving and sustaining the optimum potential flow of benefits from renewable resources on a balanced and timely basis,

(i) the National Forest System is made up of diverse lands, in different geographic regions, with many ecological associations which vary in their relation to the lands and people in each region,

(j) the National Forest System was established and maintained for the purpose of insuring a continuing yield of net benefits and resources for the enjoyment and well-being of the citizens of the United States; that the citizens of the United States expect, and are entitled to receive, the full yield of benefits and resources as set forth in the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528–531); and that there will be a continuing demand for the benefits and resources available from the National Forest System,

(k) it is essential that the organization of service to be provided to the people of the United States by the Forest Service shall be designed and maintained to meet local, regional, and national needs commensurate with the relative environmental and economic benefits and costs.

SEC. 3. RENEWABLE RESOURCE ASSESSMENT.—(a) In recognition of the vital importance of America's renewable resources of the forest, range, and other associated lands to the Nation's social and economic well-being, and of the necessity for a long term perspective in planning and undertaking related national renewable resource programs, the Secretary of Agriculture, through the Forest Service, shall prepare a National Renewable Resource Assessment (hereinafter called the "Assessment"). The Assessment shall be prepared not later than December 31, 1974, and shall be updated during 1979 and each tenth year thereafter, and shall include but not be limited to—

(1) an analysis of present and anticipated uses, demand for, and supply of these renewable resources, with consideration of the international resource situation, and an emphasis of pertinent supply and demand and price relationship trends;

(2) a general inventory of these present and potential renewable resources and opportunities for improving their yield of tangible and intangible goods and services together with estimates of investment costs and direct and indirect returns to the Federal Government;

(3) a description of Forest Service programs and responsibilities in research, cooperative programs, and management of the National Forest System, their interrelationships, and the relationship of these programs and responsibilities to public and private activities; and

(4) a discussion of important policy considerations, laws, regulations, and other factors expected to significantly influence and affect the use, ownership, and management of these lands.

(b) To assure the availability of adequate data and scientific information needed for development of the Assessment, section 9 of the McSweeney-McNary Act of May 22, 1928 (45 Stat. 702, as amended, 16 U.S.C. 581h), is hereby amended to read as follows:

"The Secretary of Agriculture is hereby authorized and directed to make and keep current a comprehensive survey and analysis of the present and prospective conditions of and requirements for the renewable resources of the forest and range lands of the United States, its territories and possessions, and of the supplies of such renewable resources, including a determination of the present and potential productivity of the land, and of such other facts as may be necessary and useful in the determination of ways and means needed to balance the demand for and supply of these renewable resources, benefits and uses in meeting the needs of the people of the United States. The Secretary shall carry out the survey and analysis under such plans as he may determine to be fair and equitable, and cooperate with appropriate officials of each State, territory, or possession of the United States, and either through them or directly with private or other agencies. There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

SEC. 4. RENEWABLE RESOURCE PROGRAM.—In order to provide for consideration and periodic review of programs for management and administration of the National Forest System, for research, for cooperative State and private programs, and for conduct of other Forest Service activities in relation to the findings of the Assessment, the Secretary of Agriculture shall prepare and transmit to the President a Renewable Resource Program (hereinafter called the "Program") which shall provide in appropriate detail for protection, management, and development of the National Forest System, including forest development roads and trails, for cooperative programs on non-Federal lands, and for research. The Program shall be developed in accordance with principles set forth in the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215; 16 U.S.C. 528–31), the National Environmental Policy Act of 1969 (86 Stat. 852; 42 U.S.C. 4321–47), and other applicable legislation. The Program shall be prepared not later than December 31, 1974, to cover the five-year period beginning July 1, 1975, and at least each of the four fiscal decades next following such period, and shall be updated no later than during the first half of the fiscal year ending June 30, 1980, and the first half of each fifth fiscal year thereafter to cover at least each of the four fiscal decades beginning next after such updating. The Program shall include, but not be limited to—

(1) An inventory of a full range of specific needs and opportunities for both public and private program investments. The inventory shall differentiate between activities which are of a capital nature and those which are of an operational nature.

(2) Specific identification of Program outputs, results anticipated, and benefits associated with investments in such a manner that the anticipated costs can be directly

compared with the total related benefits and direct and indirect returns to the Federal Government.

(3) A discussion of priorities for accomplishment of inventoried program needs.

SEC. 5. NATIONAL FOREST SYSTEM RESOURCE INVENTORIES.—As a part of the Assessment the Secretary of Agriculture shall develop and maintain on a continuing basis a comprehensive and appropriately detailed inventory of all National Forest System lands and renewable resources. This inventory shall be kept current so as to reflect changes in conditions and identify new and emerging resources and values.

SEC. 6. NATIONAL FOREST SYSTEM RESOURCE PLANNING.—(a) As a part of the Program provided for by section 4 of this Act, the Secretary shall develop, maintain, and, as appropriate, revise land and resource use plans for units of the National Forest System, coordinated with the land use planning processes of State and local governments and other Federal agencies.

(b) In the development and maintenance of land use plans, the Secretary shall use a systematic interdisciplinary approach to achieve integrated consideration of physical, biological, economic, and other sciences.

SEC. 7. COOPERATION IN RESOURCE PLANNING.—The Secretary shall make available the Assessment, resource surveys, and Programs prepared pursuant to this Act to States and other organizations in planning the protection, use, and management of renewable resources on non-Federal land.

SEC. 8. NATIONAL PARTICIPATION.—(a) In order that the optimum benefits will be better assured to each generation of citizens the Secretary of Agriculture shall utilize such participation, including public hearings, meetings, and advisory groups, as he deems appropriate and has provided for by regulation for the development of the Assessment, Program, resource inventories, and planning provided for in this Act.

(b) On the date Congress first convenes in 1975 and following each updating of the Assessment and the Program, the President shall transmit to the Congress, when it convenes, the Assessment as set forth in section 3 of this Act and the Program as set forth in section 4 of this Act.

(c) The Congress shall hold public hearings on said Assessment and Program, and within one year after submission to the Congress, the Congress shall by resolution establish a statement of policy which shall be a guide to the President in framing fiscal budgets for Forest Service and related agencies' activities for the five or ten year Program period beginning during the term of such Congress.

(d) Within ninety days after convening, each Congress shall publicly review the statement of policy developed pursuant to subsection (c) and make such modifications as may be necessary to provide a guide to the President in framing the budgets to be transmitted to Congress during the two fiscal years beginning thereafter.

(e) Commencing with the fiscal budget for the year ending June 30, 1976, requests presented by the President to the Congress covering Forest Service and related agencies' activities shall express in qualitative and quantitative terms the extent to which the programs and policies projected under that budget meet the policies established by the Congress in accordance with subsections (c) and (d) of this section. In any case in which such budget so presented recommends a course which fails to meet the policies so established, the President shall specifically set forth the reason or reasons for so recommending and shall state his reason or reasons for requesting the Congress to approve the lesser programs or policies presented: *Provided,* That amounts appropriated for purposes covered by the resolution described in subsection (c), as modified, shall be expended for the purposes for which appropriated, except to the extent that (1) the appropriation Act provides specifically for discretion as to such expenditures, or (2) the President finds that because of events occurring subsequent to the enactment of such appropriation Act, such expenditure would fail to accomplish its purpose.

(f) For the purpose of providing information that will aid Congress in its oversight responsibilities and improve the accountability of agency expenditures and activities, the Secretary shall prepare an annual report which evaluates the component elements of the Program required to be prepared by section 4 of this Act which shall be furnished to the Congress at the time of submission of the annual fiscal budget commencing with the third fiscal year after the enactment of this Act.

(g) These annual evaluation reports shall set forth progress in implementing the Program required to be prepared by section 4 of this Act together with accomplishments of this Program as they relate to the objectives of the Assessment. Objectives should be set forth in qualitative and quantitative terms and accomplishments should be reported accordingly. The report shall contain appropriate measurements of pertinent costs and benefits. The evaluation shall assess the balance between economic factors and environmental quality. Program benefits shall be considered in a broad context and shall include, but not be limited to, environmental quality factors such as esthetics, public access, wildlife habitat, recreational and wilderness use, and economic factors such as the excess of cost savings over the value of foregone benefits and the rate of return on renewable resources.

(h) The reports shall indicate plans for implementing corrective action and recommendations for new legislation where warranted.

(i) The reports shall be structured for Congress in concise summary form with necessary detailed data in appendices.

SEC. 9. NATIONAL FOREST SYSTEM PROGRAM ELEMENTS.—(a) The Secretary shall take such action as will assure that the development and administration of renewable resources of the National Forest System is in full accord with the concepts for multiple use and sustained yield of products and services as set forth in the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528–531). To further these concepts, the Congress hereby sets the year 2000 as the target year when the renewable resources of the National Forest System shall be in an operating posture whereby all backlogs of needed treatment for their restoration shall be reduced to a current basis and the major portion of planned intensive multiple-use sustained-yield management procedures shall be installed and operating on an environmentally sound basis. The annual budget shall contain requests for funds for an orderly program to eliminate such backlogs: *Provided,* That when the Secretary finds that (1) the backlog of areas that will benefit by such treatment has been eliminated, (2) the cost of treating the remainder of such area exceeds the economic and environmental benefits to be secured from their treatment, or (3) the total supplies of the renewable resource of the United States are adequate to meet the future needs of the American people, the budget request for these elements of restoration may be adjusted accordingly.

(b) The Congress declares that the installation of a proper system of transportation to service the National Forest System, as is provided for in Public Law 88-657, the Act of October 13, 1964 (16 U.S.C. 532–538), shall be carried forward in time to meet anticipated needs on an economical and environmentally sound basis, and the method chosen for financing the construction and maintenance of the transportation system should be such as to enhance local, regional, and national benefits. If for any fiscal year the budget request for appropriations for forest development roads and trails (including the amount available under the fourteenth paragraph under the heading "Forest Service" of the Act of March 4, 1913 (16 U.S.C. 501)), is less than the amounts authorized therefor, or a portion of such appropriation is subsequently impounded, the amount of construction under clause (2) of the Act of October 13, 1964 (16 U.S.C. 535), for such fiscal year shall be reduced below such amount of financing during the preceding fiscal year by an equivalent sum. For the purposes of this section, impounding includes—

(1) withholding or delaying the expenditure or obligation of budget authority (whether by establishing reserves or otherwise) appropriated for forest development roads and trails, and the termination of authorized projects for which appropriations have been made, and

(2) any other type of Executive action or inaction which effectively precludes the obligation or expenditure of authorized budget authority or the creation of obligations by contract in advance of appropriations as specifically authorized by law for forest development roads and trails.

In applying the authority granted by the Act of October 13, 1964 (16 U.S.C. 532–538), the Secretary shall give due consideration to avoiding actions which may unduly impair revenues received and thus affect adversely payments to particular counties within the National Forest System made under the sixth paragraph under the heading "Forest Service" of the Act of March 4, 1913 (16 U.S.C. 500), or under section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012), but nothing in this sentence shall be construed to reduce timber sale offerings with provisions for purchaser road construction, the net effect of which will be to increase revenues from which such payments are made to counties.

SEC. 10. (a) NATIONAL FOREST SYSTEM DEFINED.—Congress declares that the National Forest System consists of units of forest, range, and related lands throughout the United States and its territories, united into a nationally significant system dedicated to the long-term benefits for present and future generations, and that it is the purpose of this section to include all such areas into one integral system. The "National Forest System" shall include all national forest lands reserved or withdrawn from the public domain of the United States, all national forest lands acquired through purchase, exchange, donation, or other means, the national grasslands and land utilization projects administered under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525, 7 U.S.C. 1010–1012) and other lands, waters, or interests therein which are administered by the Forest Service or are designated for administration through the Forest Service as a part of said system.

(b) ORGANIZATION.—The on-the-ground field offices, field supervisory offices, and regional offices of the Forest Services shall be so situated as to provide the optimum level of convenient, useful services to the public, giving priority to the maintenance and location of facilities in rural areas and towns near the national forest and Forest Service program locations in accordance with the standards in section 901(b) of the Act of November 30, 1970 (84 Stat. 1383), as amended.

MOTION OFFERED BY MR. RARICK

Mr. RARICK. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. RARICK: Strike out all after the enacting clause in S. 2296 and

insert in lieu thereof the provisions of H.R. 15283, as passed.

The motion was agreed to.

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

The title was amended so as to read:

To provide for the Forest Service, Department of Agriculture, to protect, develop, and enhance the productivity and environmental values of certain of the Nation's lands and resources, and for other purposes.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 15283) was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

AUTHORIZING ADDITIONAL APPROPRIATIONS TO SMITHSONIAN INSTITUTION

Mr. NEDZI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2137) to amend the act of October 15, 1966 (80 Stat. 953, 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act.

The Clerk read the Senate bill as follows:

S. 2137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(a)(4) of the National Museum Act of 1966 (20 U.S.C. 65a) is amended by inserting immediately before the semicolon the following: ", with emphasis on museum conservation and the development of a national institute for museum conservation".

SEC. 2. Section 2(b) of such Act is amended to read as follows:

"(b) There are authorized to be appropriated to the Smithsonian Institution such sums as may be necessary to carry out the purposes of this Act: *Provided,* That no more than $1,000,000 shall be appropriated annually through fiscal year 1977, of which no less than $200,000 annually shall be allocated and used to carry out the purposes of section 2(a)(4) of this Act.".

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

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

Mr. Speaker, I move to suspend the rules and pass the bill S. 2137, to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of the National Museum Act of 1966.

S. 2137 would authorize appropriations of not to exceed $1 million per year to the Smithsonian Institution for the purposes of the National Museum Act of 1966 for fiscal years 1975, 1976, 1977. This is in keeping with the present level of authorized funding for this act and in accord with the 3-year reauthorization period previously applicable. The bill would also allocate $200,000 annually of any sums appropriated for museum conservation efforts and the development of a national institute for museum conservation.

The National Museum Act of 1966, directed the Smithsonian to engage in a continuing study of museum problems, to conduct training and museum practices, to perform research in museum techniques, and to cooperate with governmental agencies concerned with museums. Funds appropriated to the Smithsonian for the implementation of the 1966 act are made available, by grants and contracts, to museums, professional associations, and individuals after thorough review by the National Museum Act Advisory Council.

The previous authorization legislation allocated $100,000 of any appropriations to each of the National Endowment for the Arts and the National Endowment for the Humanities. However, the endowments have indicated that in view of the substantially increased level of their own appropriations, these allocations are no longer necessary. Accordingly they will be discontinued.

Proposals funded by the Smithsonian in fiscal year 1974 included stipend support for graduate training and conservation, methods of handling and storing objects, the publication of works on craft documentation, historical preservation, and museum practices and the study and analysis of new methods relative to exhibit construction and design.

I have been assured that the Smithsonian's program fully complements related activities of the endowments and of the Library of Congress. Departmental reports on this measure have been uniformally favorable and the Office of Management and Budget has indicated that it fully supports the bill.

S. 2137 would continue the Smithsonian's fine work in assisting the preservation of the great variety of artifacts and objects which comprise our national heritage and form the basis for our knowledge of the past. These artifacts and objects are contained in our Nation's more than 5,000 museums of art, science, and history. In my view this program is most worthwhile and merits continued Federal support. Accordingly I urge the approval of this legislation.

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

Mr. Speaker, it is my opinion that this is one of the sweetest little boondoggles around this place. Nothing is to be gained from another $1 million a year on this thing, but I know how futile it is to stop these literally closed corporation boondoggles.

I just looked up the vote on the authorization for appropriation for this deal in 1970.

I do not know of anything worthwhile that has been accomplished since 1970 for the spending of $1 million a year for 3 years.

The authorization for this boondoggle has expired. It expired yesterday, and if it was never revived it would never be missed.

But I say again, I realize the futility of trying to save any money around here, despite the fact that we are in very, very serious financial trouble as a nation. I do not know how many workingmen it takes to put together $1 million in tax revenues to pay for boondoggles of this kind, but I am sure that it takes a lot of them.

However, there will be no stopping it, so why waste more time? A majority of you will jump up and vote for it, or sit still and vote for it. Either way, and the end result will be the same. There is no evidence of fiscal responsibility in this place.

Mr. Speaker, unless the gentleman from Ohio would like to expound on this subject, I have no further requests for time.

Mr. MINSHALL of Ohio. Mr. Speaker, I have nothing further to add than what my good friend, the gentleman from Michigan, has already said about this bill. As a member of the Board of Regents of this facility, I think it is an excellent and worthy cause, and I hope that the House, in its good judgment, will go along with this legislation.

Mr. NEDZI. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan (Mr. NEDZI) that the House suspend the rules and pass the Senate bill (S. 2137).

The question was taken and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

TO REFINE PROCEDURES FOR ADJUSTMENTS IN MILITARY COMPENSATION

Mr. STRATTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15406) to amend title 37, United States Code, to refine the procedures for adjustments in military compensation, and for other purposes.

The Clerk read as follows:

H.R. 15406

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 1 of title 37, United States Code, is amended by amending section 101 as follows:

"(25) 'regular compensation' or 'regular military compensation (RMC)' means the total of the following elements that a member of a uniformed service accrues or receives, directly or indirectly, in cash or in kind every payday: basic pay, basic allowance for quarters, basic allowance for subsistence; and Federal tax advantage accruing to the afore-

mentioned allowances because they are not subject to Federal income tax."

SEC. 2. Chapter 3 of title 37, United States Code, is amended by amending section 203(a) to read as follows:

"(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are those prescribed in accordance with section 1009 of this title."

SEC. 3. Chapter 7 of title 37, United States Code, is amended as follows:

(1) By amending section 402(a) to read as follows:

"(a) Except as otherwise provided by law, each member of a uniformed service who is entitled to basic pay is entitled to a basic allowance for subsistence as set forth in this section."

(2) By amending the fourth sentence of section 402(b) to read as follows: "The allowance for an enlisted member who is authorized to receive the basic allowance for subsistence under this subsection is at the rate prescribed in accordance with section 1009 of this title."

(3) By amending the first sentence of section 402(c) to read as follows: "An officer of a uniformed service who is entitled to basic pay is, at all times, entitled to the basic allowance for subsistence at the monthly rate prescribed in accordance with section 1009 of this title."

(4) By repealing section 402(d).

(5) By redesignating section 402(e) as section 402 (d), and section 402(f) as section 402(e).

(6) By amending section 403(a) to read as follows:

"(a) Except as otherwise provided by law, a member of a uniformed service who is entitled to basic pay is entitled to a basic allowance for quarters at the monthly rates prescribed in accordance with section 1009 of this title, according to the pay grade in which he is assigned or distributed for basic pay purposes."

SEC. 4. Chapter 19 of title 37, United States Code, is amended by adding the following new section after section 1008 and inserting a corresponding item in the chapter analysis:

"§ 1009. Adjustments of compensation

"(a) Whenever the General Schedule of compensation for Federal classified employees as contained in section 5332 of title 5, United States Code, is adjusted upward, the President shall immediately make an upward adjustment in the—

"(1) monthly basic pay authorized members of the uniformed services by section 203(a) of this title;

"(2) basic allowance for subsistence authorized enlisted members and officers by section 402 of this title; and

"(3) basic allowance for quarters authorized members of the uniformed services by section 403(a) of this title.

"(b) An adjustment under this section shall have the force and effect of law and shall—

"(1) carry the same effective date as that applying to the compensation adjustments provided General Schedule employees;

"(2) be based on the rates of the various elements of compensation as defined in, or made under, section 8 of the Act of December 16, 1967 (Public Law 90–207; 81 Stat. 654), section 402 or 403 of this title, or this section; and

"(3) provide all eligible members with an increase in each element of compensation, set forth in subsection (a) of this section, which is of the same percentage as the overall average percentage increase in the General Schedule rates of basic pay for civilian employees."

SEC. 5. Until the effective date of the first upward adjustment in the rates of monthly basic pay for members of the uniformed services made by the President under section 1009 of title 37, United States Code, as added by section 4 of this Act, after the effective date of this Act, the rates of monthly basic pay for members of the uniformed services authorized by section 203(a) of that title are those prescribed by Executive Order 11740 of October 3, 1973, which became effective on October 1, 1973.

SEC. 6. Until the effective date of the first upward adjustment in the rates of basic allowance for subsistence for enlisted members and officers made by the President under section 1009 of title 37, United States Code, as added by section 4 of this Act, after the effective date of this Act, the rates prescribed under section 402 of title 37, United States Code, as it existed on the date before the effective date of this Act, shall continue in effect.

SEC. 7. Until the effective date of the first adjustment in the rates of basic allowance for quarters for members of the uniformed services made by the President under section 1009 of title 37, United States Code, as added by section 4 of this Act, after the effective date of this Act, the rates of basic allowance for quarters prescribed in section 403(a) of title 37, United States Code, as it existed on the day before the effective date of this Act, shall continue in effect.

SEC. 8. Section 8 of the Act of December 16, 1967 (Public Law 90–207; 81 Stat. 654), is repealed.

SEC. 9. This Act is effective upon enactment.

The SPEAKER. Is a second demanded?

Mr. HUNT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

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

Mr. Speaker, the purpose of this bill is to revise the method of allocating comparability pay increases for active-duty members of the uniformed services so that the increases are distributed among basic pay, quarters allowance, and subsistence allowance. At present the increases go entirely into basic pay.

This present procedure results in the Government giving basic-pay increases related in part to increases in the cost of housing and food even in cases where the Government is providing the housing and the food for personnel. In effect, the Government has been paying twice for some factors in the comparability pay increases under the present law. H.R. 15406 will eliminate this double payment and result in a budgetary savings.

Public Law 90–207 provides that whenever salary rates for civil service employees under the General Schedule are adjusted upward, uniformed services pay will be comparably increased. General Schedule salaries are adjusted annually, based on comparability with private industry. The annual percentage increase in General Schedule salaries is applied to regular military compensation—RMC—which is defined as consisting of basic pay, quarters allowance and subsistence allowance—in cash and in kind, and the tax advantage on these allowances. However, the law requires that the amount of the increase be applied solely to basic pay. Thus basic pay is adjusted in part by increases applicable to quarters and subsistence allowances.

Present law overstates basic pay and understates quarters and subsistence allowances, resulting in allowances appearing to military personnel to be lower than they should be. Putting the increases into the allowances as well as basic pay should make the compensation system more understandable to military personnel in the future.

H.R. 15406 will retain the principle that military pay raises are to be linked to Federal civilian pay increases. The bill will change the method of allocating pay raises. Instead of putting all of each military pay raise solely into basic pay, future increases will be allocated to the three cash elements of RMC.

To illustrate how the bill works: Federal civilian employees are expected to get a pay increase on October 1 of this year of approximately 6.2 percent. An increase for military personnel under present law would result in an 8.1-percent increase in basic pay. The bill will mean basic pay, quarters, and subsistence allowances would each be increased 6.2 percent.

COST SAVINGS

It is estimated that the bill will result in savings in the Defense budget in fiscal year 1975 of $157.8 million. This is based on the assumption of an active-duty pay raise in October and represents the savings that would accrue for the remaining 9 months of the fiscal year. The estimated pay increase in October for civilian personnel and, therefore, the estimated increase in each of the three cash elements of military pay if the bill passes, is 6.2 percent.

It is estimated that the cumulative 5-year savings as a result of passage of this bill will be approximately $3 billion. This cannot be estimated with precision, however, as we cannot say at this point how much civil service pay and, therefore, military compensation, will be increased under the comparability formula in future years.

COMPTROLLER GENERAL REPORT

This bill is a legislative proposal of the Department of Defense and was also recommended in a separate study by the Comptroller General.

The only change made in the legislation by the Armed Services Committee was to extend the comparability increases to a relatively small group of enlisted personnel who get subsistence allowances under special rates. There are approximately 60,000 people involved, including military recruiters. They get subsistence allowances under a special formula designed for those who are in areas where messing and other facilities of the Government are not available. The Defense Department proposal would have excluded them from the percentage increases in these allowances under the comparability formula. The committee believed that in attempting to make the compensation system more rational and to make increases more nearly related to the costs for which they are paid the comparability increases should be applied to all enlisted subsistence allowances. The committee, therefore, revised the Defense proposal to include the spe-

cial subsistence allowances with the same percentage increase as basic pay and other allowances. H.R. 15406, therefore, is the proposal recommended by the Defense Department together with this modest change.

I urge passage of the legislation.

Mr. HUNT. Mr. Speaker, I rise in support of H.R. 15406.

Mr. Speaker, this is a simple bill which will attempt to provide a more appropriate method of increasing pay scales in the Armed Forces when comparability pay raises are made.

As you know, salaries of General Schedule civil service employees are increased annually, based on comparability with private industry. Military compensation is increased at the same time and by the same amount. In the past these increases have all gone into basic pay because of the wording of the law. This has required a higher percentage increase than for civil servants, since basic pay makes up only about 75 percent of the regular military compensation. The law says regular military compensation—which includes basic pay, quarters allowance, subsistence allowance, and the tax advantage on these allowances—is to be equated with civilian salaries.

H.R. 15406 would simply change the formula so that the same percentage increase as civil servants get would go into basic pay, quarters allowance, and subsistence allowance. That way raises will be equated to costs they are designed to defray. The bill will save money by ending the practice of the Government giving pay increases based on increased food and housing costs to the people who are fed and quartered by the Government. The bill should also make the compensation system more understandable to military personnel as it will gradually bring the allowances into line with the costs these allowances are designed to meet.

I urge the Members to support the bill.

The SPEAKER. The question is on the motion offered by the gentleman from New York (Mr. STRATTON) that the House suspend the rules and pass the bill, H.R. 15406.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

JUVENILE DELINQUENCY PREVENTION ACT OF 1974

Mr. HAWKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15276) to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. HAWKINS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15276, with Mr. BENNETT in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from California (Mr. HAWKINS) will be recognized for 30 minutes, and the gentleman from Wisconsin (Mr. STEIGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. HAWKINS).

Mr. HAWKINS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 15276, the Juvenile Delinquency Prevention Act of 1974 proposes, first, to increase funding resources to the States, localities, and nonprofit agencies; and second, to provide coordination in place of the presently fragmented, uncoordinated, and generally ineffective programs dealing with the treatment and prevention of youth crime. The bill succeeds the Juvenile Delinquency Prevention Act (Public Law 92-381) which expired on June 30, 1974.

H.R. 15276 represents a redirection of efforts long overdue. Approximately half of all serious crimes in this Nation are committed by youth under the age of 18 years. Current methods of treatment and incarceration have failed to stem the rising tide of youth crime—and have in far too many instances graduated adult criminals.

H.R. 15276 seeks to encourage the establishment of comprehensive, community-based services and facilities as opposed to currently operating noncommunity based custodial systems.

We believe that programs must be focused on fostering youth development rather than merely treating delinquent behavior or even being simply reparative in nature. Programs to be truly preventive must deal with the strengths of youth and those of their families and the communities in which they live.

The bill provides for:

First. The establishment of a Juvenile Delinquency Administration within the Department of Health, Education, and Welfare through which the bill would be administered.

Second. Allocation of funds to States and territories, on the basis of relative population under the age of 18 years, with a minimum allocation of $150,000 per State.

Third. Requiring that, in order for States to receive funds, they must submit a State plan, which provides for the development of advanced techniques in the prevention and treatment of juvenile delinquency, to be conducted under the supervision of a State supervisory board.

Fourth. The establishment of a discretionary fund of the Secretary of Health, Education and Welfare which would be utilized for the award of special emphasis prevention and treatment grants.

Fifth. The establishment of an Institute for the Continuing Studies of the Prevention of Juvenile Delinquency which would provide independent research, evaluation, training, technical assistance, and informational services.

Sixth. The establishment of a Federal assistance program for runaway youth and their families.

Seventh. The creation of an independent Coordinating Council on Juvenile Delinquency Prevention, with public membership, which would advise the Secretary with respect to the coordination of all Federal juvenile delinquency programs.

The bill authorizes an annual appropriation of $75 million for fiscal years 1975 and 1976; $125 million for fiscal year 1977 and $175 million for fiscal year 1978. Of these amounts, not more than 5 percent may be appropriated for the administration and not more than 10 percent may be appropriated for the institute. In addition, $10 million is authorized for the grant program of the Runaway Youth Act during fiscal years 1975, 1976, and 1977 and $500,000 is authorized for the survey and reporting program of the Runaway Youth Act for fiscal year 1975. Such sums as may be necessary are authorized for the purposes of the Coordinating Council.

In extensive hearings in Washington and Los Angeles, all subcommittee witnesses except LEAR offered their support and encouragement to the passage of this much-needed and long overdue bill. Indeed, the distinguished Member from Florida, the Honorable CLAUDE PEPPER summed up the situation when he described Federal juvenile delinquency efforts as a "national disgrace and dilemma."

The only area of difference in this bill rests in its administration.

The committee favored HEW over LEAA, because of HEW's demonstrated commitment to the range of human services of which the prevention of juvenile delinquency is an integral part, HEW's existing contacts with health, social welfare, education, and medical resources, and HEW's commitment to the issue as demonstrated by its recent requested budgetary increases and administrative reorganization.

LEAA was considered and rejected by the subcommittee and full committee, because of its narrow "cops and robbers" approach, its failure to adequately attend to the preventive aspects of juvenile delinquency, the spotty record of its State planning agencies in this area, its inability to coordinate juvenile delinquency programs effectively on either the Federal, State, or local levels and its view of the juvenile offender primarily in terms of crime and punishment. All of this despite the vast financial resources at the command of LEAA. Finally, of all the witnesses at our hearings, the only one which testified in support of LEAA

was its own interest group; an organization which represented LEAA's State Planning Agency Administrators—courtesy of LEAA-funding.

H.R. 15276 has broad bipartisan support and there is no organized opposition to it. The bill was reported from the Committee on Education and Labor by a vote of 28 to 1.

Mr. Chairman, I urge passage of H.R. 15276.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. LANDGREBE).

Mr. LANDGREBE. Mr. Chairman, I should like to state that in my opinion this is simply more bureaucracy, more Federal money spent, more deficit spending at a time when the people of our country are crying out for the very opposite. I should like to call to the attention of the Members of the House the minority views that are in the report on the bill. I think what this country is suffering from is not so much delinquent children but from delinquent parents. Some of them are negligent of their children, and others are caught in the inflation pressures.

Many dads are forced to work two and three jobs. Too many mothers of small children are working in the marketplace trying to meet the day-by-day expenses of the household, resulting from the inflation generated by the deficit spending habits of this irresponsible Congress. In fact, this bill authorized the expenditure of $492 million over the next 4 years which is certainly not small change in my opinion.

I have been lobbied by people on this bill. In fact, I had a phone call yesterday from a lady who identified herself as a person very active in boys clubs, girls clubs, and the YMCA. She mentioned two or three others, but I do not remember them. She said these agencies would all receive Federal funds to help them. I said: "Are these agencies not all funded through voluntary subscriptions from people such as myself?"

She said: "Oh, yes, but we can only scratch the surface of the needs."

I think my observation is that these organizations are doing a tremendous job. The Boy Scouts are certainly one of the great organizations of the world, helping to make good citizens out of our boys.

As I told this lady on the phone yesterday, I would just like to warn my colleagues who are inclined to vote for legislation of this kind, that this might be another trap. How long will it be before these organizations which are now independent and free, operating their own programs and doing great work with the voluntary gifts and contributions from people such as myself, be asked by the donors "Why should we give you our money; are not you now funded by the Federal Government? To those very same people I say in all honesty and humility, "How long will it be before the Federal Government, giving you these dollars, will also give you the Federal regulations." With Federal funds invariably come the Federal regulations.

We know what has happened in our Federal aid to education program. How long will it be before it happens here, before we have a program such as they have in Russia where the government supervises all youth programs.

So what are we doing here? Do we know what we are doing and do we recognize the pitfalls and traps? Certainly this Congressman is concerned about delinquent children. For myself I had to hoe potatoes and do things like that which kept me out of trouble. I kept my own sons busy with lawn mowing and practicing their musical instruments and so on.

However, I encourage and contribute to many youth programs in my community.

Without being repetitious I will close by calling attention to the fact that the administration opposes this bill.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think it is clear that there is full and complete bipartisan support for the intent of the legislation reported by the Education and Labor Committee. In fact, there was only one dissenting vote when the bill was reported from the committee. It is important, therefore, to clearly understand that the issue which we are discussing now is not whether the bill is good or not—for clearly it is—but which agency will administer it.

With regard to the question of who should administer it, there also appears to be some confusion that this bill establishes a brand new categorical program for juvenile delinquency within the Federal Government. The fact is that HEW has been involved in juvenile delinquency prevention programs since 1961 and in 1968 they were given a specific mandate by the Congress to take the lead role in the coordination of Federal activities. There exists in HEW today a Youth Development Administration which administers the Juvenile Delinquency Prevention Act which Congress passed in 1968.

The bill before us today will simply expand that office, not create a new layer of bureaucracy or a new narrow categorical program in HEW. On the matter of narrow categorical, I must say that crime and delinquency are not categorical problems. The causes of delinquency run the full gamut of all of the social problems that are faced by society. HEW is the agency that deals primarily with the social needs of people. I would be the first to admit that I am less than happy with the job that HEW has done. Up until this year, I would say that their commitment in resources, as well as their efforts, have been low key and low level. But I am convinced that as we enter a new era of juvenile delinquency prevention, this legislation provides that HEW, at least on paper, is the best agency to do the job.

I have been working with HEW officials, the Under Secretary Frank Carlucci, and Assistant Secretary for Human Development Stan Thomas, in recent months and I am convinced that these men, speaking on behalf of the Department, reflect a sincere desire as well as a commitment to increasing the dollars which HEW will make available to give support to a new and expanded juvenile delinquency program.

I think the most telling reason why HEW should administer this program is that this bill is designed to prevent the problems and causes of juvenile delinquency. As many of my colleagues know, I have referred to LEAA as being in the "cops and robbers" business. I referred to them in this manner, not because I do not have a high regard for their efforts and the fine job that that agency is doing, but because I believe that the people who we intend to reach through this legislation are not yet criminals and should not be treated as such.

I believe local and State police agencies have a role to play in helping to prevent delinquency, but if they play that supportive role, it does not necessarily follow that they have to play the lead. In order to accomplish anything through prevention, the factors that cause delinquency must be addressed. It has been proven time and time again that the causes are not criminal but social in nature. Therefore, because this is not a new program and because HEW has already established the mechanism and is beginning to work to coordinate efforts within communities with the limited dollars they have had—they should be allowed to continue and expand their efforts.

I must emphasize that I do not believe that either HEW or LEAA can or should take pride in its efforts to date as a true preventer of delinquency. Donald Santarelli, the outgoing head of LEAA, indicated recently that crime in America is getting worse, not better. As we all know, delinquency among juveniles is increasing at a greater rate than any other category. Therefore, this legislation today is designed to get to the heart of the delinquency problem. It is an attempt to begin to eliminate those factors so that all of the people in this country can ultimately benefit.

The reason why this bill is important is that it puts its primary emphasis on coordination of effort. The first and most important focus will be to achieve coordination at the local level, at the State level, and at the Federal level. In my judgment, coordinating activities will do much to focus our efforts and at the same time, to eliminate duplication. The bill mandates that all agencies of the Federal Government which have a direct role in the problems of juvenile delinquency sit down and work together so that their efforts will go in one direction. The States are then mandates to develop a plan in which they will determine how best to coordinate their efforts within their own States. It is my hope that this planning and coordination will result in new working relationships developed at the local level.

The bill establishes a Coordination Council on Juvenile Delinquency Pre-

vention on the Federal level. This provision was inserted into the bill as a result of a specific recommendation from the General Accounting Office. The GAO felt strongly that a council must be established, representing all of the agencies, if coordination, planning, policy priority setting, and effective management and operation of Federal juvenile delinquency programs was to be achieved. Following the recommendation of the GAO we have mandated that the President appoint high level people to serve on the Council.

Furthermore, the bill establishes an Institute for the Continuing Studies of the Prevention of Juvenile Delinquency. This was an idea which was proposed by our colleague, TOM RAILSBACK, and was incorporated into this bill. The purpose of the Institute is to provide coordination in the dissemination of data in the field of delinquency prevention and treatment, and coordination for the training of personnel connected with the treatment and control of delinquency. Through all of these efforts, we hope to begin to address the problems that exist.

So that my colleagues can better understand why coordination is so necessary—and why, in my judgment, the real strength of this bill is the impetus it gives to coordination, all you have to do is look at the fact that, despite the best intentions and sincere efforts of hundreds of public and private agencies today, the approach to the treatment and prevention of juvenile delinquency remains marred with fragmentation and inconsistency.

By way of illustrating the magnitude of this problem, I cite two examples. In Denver, some 175 separate youth serving agencies have been identified as dealing to some extent with the problem of juvenile delinquency. In Boston, 260 private agencies have been similarly identified. In both instances, efforts to bring about coordination at the local level have met with only the most limited success.

The difficulty appears to be, at least in part, one with which we are all familiar—the absence of a "funding carrot" and the resultant need to spend considerable time selling the goal of voluntary coordination. Because the incentives essential to coordination have been missing, the various local agencies have continued to go in separate directions, secure in the knowledge that they could afford to bypass local planning agencies and instead go directly to the myriad of Federal agencies with authority in the juvenile delinquency field.

By requiring the designation of a single State planning agency responsible for administering juvenile delinquency funds, this bill does much to strengthen the planning process and insure coordination. The committee has acted wisely, I think, in mandating the formation of a State supervisory board—and beyond this, in encouraging the localities to develop broadly representative, local advisory committees to oversee local efforts and to encourage citizen input.

Because we recognized the importance of the State supervisory board to the development of a cohesive and comprehensive State plan, the committee took great pains to insure that the board would be composed of a broad cross section of those with experience in the juvenile delinquency field. The result should be a State plan which reflects the input of not only law enforcement personnel, but educators, health officials, social workers and others with valuable, if differing, insights into what is unquestionably a complex problem.

My colleague, AL QUIE, the ranking minority member of the committee, correctly points out the need for a unified approach toward the juvenile delinquency problem. This bill, it seems to me, fosters that kind of approach at the level where it counts the most—the local level. It is here that the delinquency problem can best be identified and a meaningful prevention and treatment program established. This bill reflects the fact that juvenile justice and juvenile delinquency prevention are inextricably linked and cannot be treated separately.

In an effort to avoid the fragmentation and duplication of effort which has occurred in the past, the bill specifically provides that those State agencies presently entrusted with responsibility for the Omnibus Crime and Safe Streets Act may also, with some modification, be designated responsibility for administering funds under this act. What this means is that, in those States where the LEAA-funded State planning agencies have been particularly effective, the Governor is free to build upon this experience by delegating the agency additional responsibilities.

I anticipate that this will happen in a number of States. But our overriding concern in acting today must be to establish an effective, comprehensive approach to the difficult problem of delinquency. To that end, I believe it is vitally important that we not tie the Governors' hands, but rather that we grant to them the latitude and flexibility to designate the kind of supervisory board which can best get the job done.

Ultimately, of course, coordination at the local level will only be as effective as coordination at the Federal level. Today, local agencies seeking Federal assistance in combating juvenile delinquency are confronted with a bewildering array of Federal sponsors. The result is confusion and frustration—but most importantly, it is wasteful and costly duplication.

The case for greater interagency cooperation is amply illustrated by the Boston experience. In that city, two different Federal agencies, NIMH and OYD, both within HEW, authorized two separate categorical grants for essentially the same purpose—the study and coordination of existing youth services. This type of wasteful duplication must be eliminated—and I believe, will be if the bill before us becomes law.

In conclusion, I would urge the House not to get bogged down in the LEAA-HEW argument, because there are more than enough problems throughout this country to require the full attention of both agencies. What is a more important concern is what the bill before us today can do to help thousands of young people in need of assistance. When you cast your vote, I urge that you do so with an eye toward how best they can be served.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, the bill before us today represents an effort by the Equal Opportunities Subcommittee that has extended over a period of 1 year. The chairman of that subcommittee, our colleague, AUGUSTUS HAWKINS, has conducted extensive hearings throughout the country both on this specific piece of legislation and on various companion bills. Without his diligent effort this House would not have an opportunity today to enact this most urgently needed legislation.

The bill before us today aims to provide strong Federal leadership in making adequate resources available to the States, localities, and public and private agencies for the prevention and treatment of juvenile delinquency.

Almost one-half of the serious crimes in this Nation are committed by juveniles. Yet at the Federal level we spend relatively meager sums for the treatment and prevention of youth crime. This bill, H.R. 15676, incorporates six basic elements which the committee feels are essential to Federal involvement in the prevention and treatment of juvenile delinquency:

First, the establishment of a new national program in HEW to coordinate and to provide Federal leadership in overall juvenile delinquency efforts;

Second, the provision of adequate funding for the treatment and particularly the preventive aspects of juvenile delinquency;

Third, the creation of an institute to provide independent program evaluation and dissemination of information:

Fourth, the encouragement of reform of national standards for juvenile justice;

Fifth, the significant participation of voluntary, nonprofit agencies in these efforts; and

Sixth, the encouragement of States, localities, and the private sector in the development of diversionary programs and community based alternatives to the traditional forms of institutionalization of youth.

Another important feature of this legislation is embodied in title IV, the Runaway Youth Act. Testimony before the subcommittee revealed that runaways are a serious problem, that they are as many times the victims of crime rather than the criminals, and told us in very clear terms that we do not know enough in this area. Therefore, the committee hopes that with the small amount of money it makes available more information can be gathered about runaway youths and to then encourage the beginnings of a system to meet the needs of these youths.

Mr. Chairman I urge the House to adopt this legislation so that we can begin on a new course of dealing with the problems of juveniles.

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

Mr. HAWKINS. I yield 3 minutes to the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, the purpose of my taking the well is to advise my colleagues of the following situation. I was told by a young man who had been adjudicated a juvenile delinquent, and had that in his record that when he reached his majority and had applied for a city job he was turned down. Because these juvenile delinquent records are kept in the FBI files and the city—it was not New York City—made an inquiry, he was turned down because of the record, although clearly it is not the purpose of juvenile delinquent records to stigmatize and follow the individual when he or she reaches adulthood. It is really just the antithesis; so I had planned to introduce an amendment today which would bar the furnishing of information on juvenile delinquents by the FBI after they reached their majority.

I took the matter up with the Justice Department. They advised me they thought the matter would be better served if the amendment were to be placed in the bill now being marked up by the Committee on the Judiciary and they indicated their cooperation in the matter.

Rather than offering the amendment at this time I will bring it to the attention of the Judiciary Committee. I want to thank the distinguished chairman (Mr. HAWKINS) and the ranking minority member (Mr. STEIGER) for their courtesy and cooperation in providing me with support and time in this debate to bring the subject to the House's attention. And I want to commend them and the committee for the excellent bill which they have brought to the floor.

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

Mr. STEIGER of Wisconsin. I yield 5 minutes to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Chairman, I take this time to ask several questions of the distinguished ranking Member. I have a basic concern of the legislation that we have passed in previous years, particularly when we use the word, as we have in the title, "comprehensive." That can mean just about everything to everyone.

I have found so many times in the past that the authority is sometimes so broad that those implementing the law feel they have authority to go beyond what we debate here on the floor. We could name dozens of bills where this has happened. As one who has had a basic interest over the years, particularly as it relates to juveniles in the so-called early detection and an interest in phychological testing, an interest in recordkeeping and an interest in the invasion of parental rights, I did want to take this time because I think all these issues fuse in this area that we call juvenile delinquency.

Having served with the gentleman from Wisconsin both in committee and in conference, I know that he has many of the same concerns that I have mentioned. As an expert in this legislation, I would ask him whether or not he feels under the term "comprehensive" the so-called early detection of juvenile delinquents could in any way be implemented by this legislation.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I think it would be clear from both the report and the bill, and the gentleman from California (Mr. HAWKINS) would, I hope, also comment on this question—we are in no way authorizing the Department of Health, Education, and Welfare for the institute created under this bill to get into that concept of predetection of characteristics that might lead to juvenile delinquency.

As a matter of fact, I think if the gentleman will look back at the legislative history from the development of the act, he will see that this concept was contained in an earlier draft.

Mr. ASHBROOK. That is correct.

Mr. STEIGER of Wisconsin. It was dropped in large measure because a number of witnesses before the committee, as well as members of the subcommittee, felt that idea was one we ought not to get into, so I think it is clear now that we do not intend that should happen, and we would hope the gentleman would put his question to the gentleman from California.

Mr. ASHBROOK. Mr. Chairman, I would be glad to hear from the gentleman from California.

Mr. HAWKINS. Mr. Chairman, if the gentleman would yield, I would certainly concur with the remarks made in answer to his question by the gentleman from Wisconsin, but I would go beyond that and say that this bill in every way has been drafted, I believe, to take the confidentiality out, the privacy and mislabeling.

Certainly, I believe that is the intent of the sponsors of this bill, not to invade the areas which the gentleman has the greatest concern for and which he has expressed.

Mr. ASHBROOK. I thank the gentleman. I should have made it clear at the beginning that I am, of course, not talking about incarceration and court supervision situations where a youth runs afoul of the law.

Of course, when a youth runs afoul of the law, there are certain things at that point which happen in the normal course of events, some of which we do not like, but at least which may be reasonable. But, the situation before a person becomes delinquent or runs afoul of the law is a very sensitive area, and we must be very careful because even though some arguments favoring this approach are proper, this idea of the Government coming into the home and seeing what is right and engaging in early detection is at best dangerous and highly suspect. One witness said, "Zooming in on the family" may be necessary to find out what is going wrong. I just wanted to make sure for the record—and I am glad to get the responses—that this legislation as we see it before us, is not contemplating giving authority for any such actions of this type.

Also, my concern includes another area in which I am interested, the so-called psychological questions or tests with probing questions that might detect potential criminality or delinquency. Often they involve questions relating to the home, parental relations and such.

Can the gentleman from Wisconsin assume that under the heading of "comprehensive program" we are not talking about that type of a program?

Mr. STEIGER of Wisconsin. Mr. Chairman, if the gentleman will yield, my answer is yes, we are not talking about that kind of program.

Mr. ASHBROOK. Also, can I get some assurances in the area of record keeping and parental rights, a subject which the preceding speaker indicated that he was interested in. I think we are all very vitally concerned about this idea of some blemish on the record or something during the course of our school days which ends up somehow or other relating to jobs in later life or credit or something down the line which is fed into some computer.

I notice this legislation endeavors to be very particular and very careful in this area of recordkeeping. Would the gentleman indicate for the edification of the Members what we intend to do regarding recordkeeping?

Mr. STEIGER of Wisconsin. Mr. Chairman, if the gentleman will yield further, there are at least three specific references on this question. One is on page 13, No. 13, which says:

(13) provide for procedures which will be established for protecting under Federal, State, and local law the rights of recipients of services and which will assure appropriate privacy with regard to records relating to such services provided to any individual under the State plan;

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 3 additional minutes to the gentleman from Ohio.

Page 87, section 311, says:

Records containing the identity of any juvenile gathered for purposes pursuant to this title may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

Then, again, on page 94, in the youth section, the gentleman will note section 422, which says:

Records containing the identity of individual runaway youths gathered for statistical purposes pursuant to section 421 may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

Mr. ASHBROOK. Mr. Chairman, I thank the gentleman for his response.

One last area that I would like to have some statement from my colleague is the

matter of parental rights. This bill, as I understand it, in no way contemplates invasion of what might be called the traditional parental responsibility for the supervision of the child, even in some cases, I guess, where the parent may not be doing the best job.

In previous legislation, I think that was one of the areas, where there was the concept of zooming in on the home to straigthen out what might be, in the eyes of those administering the law or the program, mistakes by the parents. This was one of the deficiences of the so-called Child Development Act in 1971.

We are assuring, as nearly as we can, parental rights in this bill. Is that not correct?

Mr. STEIGER of Wisconsin. If the gentleman will yield further, he is absolutely correct on that.

I must say that I think the gentleman performs a very interesting function and a very good public service by raising the issue. Our important subcommittee tried to do its best to deal with this. I think we did so satisfactorily, and we in no way want to find ourselves impinging upon the rights of parents or parental responsibility.

Mr. ASHBROOK. I thank the gentleman for responding.

As one Member who watched the legislation very carefully, I must say that I am not sure in many areas what the right answer is. I favor the traditional parental relationship. I think we found in our hearings that this is a very difficult area in which to legislate—even when it appears there are failures in the home.

I would say to the gentleman from California and to the gentleman from Wisconsin that I am glad that in this legislation we have steered away from what is called early detection of juvenile delinquency, with all the ramifications that phrase has, and have made a reasonable effort at protecting the privacy of records, and similarly, at protecting parental rights in this important area.

Mr. HAWKINS. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. BADILLO).

Mr. BADILLO. Mr. Chairman, it gives me pleasure to rise in support of H.R. 15276, the Juvenile Delinquency Prevention Act of 1974.

By establishing a Juvenile Delinquency Prevention Administration in the Department of Health, Education, and Welfare, this measure focuses for the first time upon the need for coordination on the Federal, State, and local levels and seeks to involve the nonprofit sector in the launching of an extensive and inclusive program of juvenile delinquency prevention.

Presently, although almost 50 percent of all serious crimes in this Nation are reputedly committed by youth under 18, funds and efforts earmarked for prevention programs are relatively negligible. The National Council on Crime and Delinquency has conducted a study of the fund commitments in 51 of the Law Enforcement Assistance Administration's 55 jurisdictions and concluded that preventive programs accounted for 17 percent of all program funds in 1972. Although this represents an increase of commitment over 1971 when only .8 percent of available moneys were so used, the allocation of resources does not begin to match the level of need. Moreover, there is reason to believe that philosophically the Law Enforcement Assistance Administration is more atuned to the concept of dealing with crime detection and punishment techniques than approaching, in a constructive fashion, the problems of youngsters who find themselves in conflict with the law.

Yet, prevention is nine-tenths of the cure. Available evidence clearly shows that it is easier, more effective, and even more economical to assist youngsters in situations which could lead to lawlessness rather than to allow them to drop out or be pushed out of the school system and direct them to programs of rehabilitation only after they have established habits of addiction or are hauled into courts on criminal charges.

A few years ago, concerned parents in my district whose children were suspended from neighborhood schools, launched an effort significantly called "Project Justice." With the assistance of capable young attorneys and a number of medical doctors, these parents organized a program geared to investigate factors leading to the suspension of youngsters in the neighborhood schools. During a 24-month period about 395 cases were studied in depth and at the end of this time project personnel could point with pride to the records which showed that in almost every instance youth involved in suspension proceedings were successfully returned to the schools they originally attended. Nor did matters stop there. Families of the returned youngsters, as a result of the assistance they received, became involved with the school system, understood clearly the rights and needs of their children, and showed willingness and ability to get involved in the educational process.

But the same records also demonstrated something else. They disclosed that in several instances youngsters, whose primary problem involved language and cultural barriers, were referred to psychiatrists for evaluations and ended up on "chemical therapy" for conditions they did not have. Others, whose families were unable to communicate with school authorities, accepted suspension decisions as manifestations of "personal dislike." Parents in such circumstances, although upset, wrote off as fruitless any attempt to return their children to their proper schools. In some instances, by dint of permitting them to leave home and live with relatives or friends, they managed, for a time, to assure continued school attendance for them. But in the majority of the cases, without the intervention of trained personnel, the youth simply left the school system and swelled the growing ranks of dropouts.

My own files show that despite the demonstrated effectiveness of Project Justice, I found it extremely difficult to interest anyone in funding the project. I had contacts with HEW, LEAA, and the Department of Education on their behalf and none of the individuals reached showed much enthusiasm. When approached with the request to assist the program, they considered the scope of its operations outside their jurisdiction and at most furnished referrals.

I am consequently very pleased to find in the measure before us a mandate for funding community based efforts and hope that, upon the passage of this legislation, groups such as Project Justice will be able to take their rightful place in the juvenile delinquency prevention effort. Because educational and preventive approaches are of paramount importance, I cannot support attempts to vest the administration of this legislation in the Law Enforcement Assistance Administration. I believe that the administrative framework, proposed in the bill, should logically be located in the Department of Health, Education, and Welfare where, through Federal, State, and local efforts and continued congressional oversight, a successful program to assist troubled youngsters can most successfully be evolved.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. RAILSBACK).

Mr. RAILSBACK. Mr. Chairman, I wish to pay my respects, first of all, to the chairman of the subcommittee, the gentleman from California (Mr. HAWKINS) for the fine job that he has done.

I also wish to pay my respects to the gentleman from Wisconsin (Mr. STEIGER) who, I think, has done an outstanding job.

Let me just say, Mr. Chairman, that this particular legislation was something that we in the House considered in the last session when more than 100 Members supported the Institute for Continuing Studies of Juvenile Justice. The House passed that legislation. It then went to the Senate, where it became stalled, and it was not enacted into law.

I happen to have had the privilege of sponsoring that legislation, along with a former Member from Chicago, the gentleman from Illinois, Mr. Abner Mikva, who was then a Member and who was one of the chief sponsors, as well as the gentleman from Pennsylvania (Mr. BIESTER).

I think that we felt that one of the most serious problems in our country was the high rate of recidivism, and this was a rate of recidivism which was particularly noticeable among young people.

We had a report that came from one of the Presidential commissions that indicated 72 percent of the young people who were first offenders could be expected to be back in prison after once entering prison within a 5-year period. It became very apparent to us that the different States in this country were adopting different kinds of programs. There was no uniformity. Some of the State programs were good, and some of the State programs were very bad. So, as I say, it became pretty apparent that we would be well advised to see if we

could not provide some kind of a central clearing house where people that were expert in the field of juveniles, for example, could come together and share their expertise with others.

It became important, too, we felt, that there be some kind of a central training institution to which people could be nominated to attend by the States and the State and local agencies, to receive specialized training—training similar to what had been done by the very successful FBI Training Academy. It is our feeling that it should be done on a multidiscipline basis with personnel, including law enforcement officers, probation officers, personnel people, judicial people, correctional people, teachers, and others who had something to do with the treatment and handling of juvenile offenders, to receive that kind of training.

I just want to say, without really belaboring the point, that I think this legislation which includes under its title III that kind of an institute, is going to serve the most useful purposes when enacted into law.

We are all too aware of the terrible consequences this Nation suffers from an ever-increasing crime rate—the price we pay is immeasurable in human and economic terms. But how many of us are aware of the distressing contribution juvenile crime makes to our crime situation?

Juveniles are responsible for a disproportionate share of crime year after year. According to the Federal Bureau of Investigation, in 1972, 27 percent of all serious crimes solved involved juveniles, although persons 10 to 17 years of age account for only 16 percent of the population. Persons under 25 made up over half the total police arrests for that year! Over the last 5 years juvenile involvement in violent crime increased 60 percent as compared to a 46-percent increase for adults.

Furthermore, the young criminal of today is quite likely to be the adult offender of tomorrow. Offenders under 20 are rearrested more frequently than any other age group. Between 1970 and 1972, 43 percent of arrested offenders under 20 in the United States were recidivists.

In the last decade the Federal Government has accepted increasing responsibility and leadership in the fight against crime, but delinquency programs have remained largely a disappointment. They were certainly the "stepchild" when it came to appropriations. Spread through a myriad of Federal agencies, they suffered further from a lack of organization.

H.R. 15276, the Juvenile Delinquency Prevention Act of 1974, directly addresses these problems with the establishment of a new structure for the coordination of all Federal activities relating to juvenile delinquency. In addition, there is provision for substantial appropriations for a viable and effective effort. The bill gives the Secretary of Health, Education, and Welfare ultimate responsibility for the coordination of all Federal delinquency programs; establishes a grant program for assistance to States and localities in their delinquency efforts; provides for a national training and information center for persons dealing with delinquents; establishes a specific grant program for projects relating to runaway youth; and, provides for an independent council to oversee and evaluate the Federal juvenile delinquency effort. Authorizations for these purposes over a 4-year period run nearly a half a billion dollars!

I am particularly pleased that title III of this bill includes the language of my bill to establish an Institute for Continuous Studies of the Prevention of Juvenile Delinquency. I have long felt that there has been a particular need for a training and information center on delinquency—a need best served at the Federal level where adequate resources would exist for a permanent and workable administration. Certainly, much information on effective programs and techniques is available, but is of little use unless it can be communicated to those responsible for initiating and implementing programs in the States and localities.

The Institute proposed in title III of this bill would solve the communications problem in two ways. Primarily it would provide a short-term training program for professionals and lay people involved in the prevention and control of youth crime. To assist in developing training programs at the State and local levels, technical training teams would also be available from the Institute. Additionally, the Institute would collect, prepare, and disseminate information, acting as the national clearinghouse for delinquency source material. For the first time, persons dealing with juveniles would have ready access to the most modern and proven-effective techniques and programs.

There is also a provision in title III for the Institute, at the discretion of the Secretary of Health, Education, and Welfare, to evaluate federally funded delinquency programs which should help direct Federal support toward increasing effectiveness. It is also empowered to request research in areas where necessary information is lacking.

There are other important aspects of this bill that make it truly innovative and comprehensive.

Title I prescribes that the Secretary of Health, Education, and Welfare, through a new Juvenile Delinquency Prevention Administration, establish the overall policy, objectives, and priorities for all Federal delinquency programs and activities, and gives him the necessary authority to coordinate them. He is additionally responsible for reporting to the President and Congress annually on the progress and results of the Federal effort with recommendations for change.

The concept of "coordination" is also underlined in title V which establishes an independent Coordinating Council on Juvenile Delinquency Prevention to oversee Federal programs. The council is required to make annual recommendations to the Secretary for improvements and priorities in the programs including a special report on the activity of the institute. Although such a council has existed under the 1972 juvenile delinquency legislation, this proposal would substantially broaden its makeup and scope. Not only would its members include Cabinet-level offiers from agencies dealing with delinquency related programs, but also would include nationally recognized experts appointed by the President. Youth would be represented on the council under the provision that at least three of its members be under 26.

Recently there has been an increasingly serious law enforcement problem with runaway youth, and due to the interstate nature of this particular delinquency, it is properly of Federal concern. Title IV of this legislation would establish a grant program for the development of local facilities and programs to deal with runaways. Because of the deficiency of information on the extent of the problem, it also calls for the Secretary of Health, Education, and Welfare to report to Congress with a statistical profile of runaways by the end of fiscal year 1975.

Title II provides for a grant program generally similar in structure to the current program, but with important differences in emphasis and scope. Current law provides for grants to the States and localities for programs to aid in the prevention of delinquency only, and only agencies outside the juvenile justice system are eligible. This proposal would extend eligibility to all agencies, public and private, for in many States juvenile justice agencies are responsible for programs to divert predelinquents from the system and could therefore profitably serve as a center for coordinating youth programs funding.

This title also prescribes priority areas for eligibility of program funding that reflect innovations such as: community-based treatment as an alternative to institutionalization; diversion of offenders from the juvenile courts and institutions; and programs to keep potential dropouts in school. It is interesting to note that over 85 percent of institutionalized delinquents are school dropouts.

Mr. Chairman, the Juvenile Delinquency Prevention and Control Act of 1974 is a comprehensive proposal that properly addresses some of the deficiencies of past legislation in this area and establishes a sound basis for an effective future effort. As one who has consistently been particularly concerned with the problem of juvenile delinquency, I urge the support of my colleagues for prompt action on this important legislation.

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

Mr. RAILSBACK. I will be glad to yield to the gentleman from Pennsylvania.

Mr. BIESTER. Mr. Chairman, I think that the gentleman in the well, the gentleman from Illinois (Mr. RAILSBACK) deserves a great deal of credit for this legislation. The gentleman first discussed it with me almost 5 years ago. I believe that it is the diligent work of the gentleman from Illinois along with the cooperation of the gentleman from California, Chairman HAWKINS, and the gentleman from Wisconsin (Mr. STEIGER)

that has helped produce this legislation today, and I congratulate the gentleman.

Mr. Chairman, I rise in support of the Juvenile Delinquency Prevention Act.

After several years of legislative effort to establish an Institute for Continuing Studies of Juvenile Justice, we today have the opportunity to pass H.R. 15276, the Juvenile Delinquency Prevention Act, which has as one of its major features the concept of the Institute.

I am pleased to have joined with our colleague TOM RAILSBACK and former colleague Abner Mikva back in 1969 in first submitting this measure and to have worked with this legislation in the Judiciary Committee when the subcommittee on which I served considered it in hearings in 1970 and 1971.

As outlined in the bill before us, the Institute would be given the authority to gather data and disseminate it in those ways which can most effectively address the problems of juvenile delinquency. Not only will the Institute become a repository for all the relevant statistics and information relating to juvenile delinquency from throughout the country, but it will conduct training programs for those who work closely with the problem and with the young in general. Taking an interdisciplinary approach to the question of juvenile delinquency, new programs will be formulated, applied and evaluated for possible use on a more extensive basis.

I feel it is tremendously important to have a single body focusing on the particular problem of delinquency among minors—a condition which has perplexed and confounded us for years. Solutions will continue to escape us unless we pull our resources together in trying to identify and address those factors which contribute to juvenile delinquency. We know that those who become involved in criminal activities at an early age are increasingly likely to become more deeply involved in crime in early adulthood. Indvidual lives are ruined and society, at large, pays a tremendous price for the misdirection and mistakes of its youthful offenders.

The Institute will help assure that the problems of juvenile delinquency are given the intensive day-to-day attention they require and the practical assistance is forthcoming which local institutions and groups can so profitably implement.

We know better than to assume that the existence of such a body will solve the matter of juvenile delinquency once and for all. The problem is much too complex and too deeply intertwined with other societal conditions in need of correction. I believe we can be optimistic that the Institute, in conjunction with other efforts—in crime prevention, corrections, education, social work—can make inroads in what continues to be one of our most serious, far-reaching problem areas.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. GOLDWATER).

Mr. GOLDWATER. Mr. Chairman, I rise to commend the committee on a certain provision in the bill that protects the information which they have been given the authority to collect. In essence, I rise to praise Caesar, not to bury him.

Not necessarily to discuss the merits of the bill, because perhaps there are some questions as to whether this is more of a State matter than a Federal matter, but with the increasing concern by many Americans over the invasion of privacy it becomes more a responsibility of Government to look into this question of whether our liberties are being violated, and information of a personal nature is indiscriminantly being passed around, misused and abused, all to the detriment of the individual in this country.

It is heartening to see that in this Congress a great concern registered to establish basic safeguards and rights of the individual as they pertain to his own personality.

Some 300 Members of the Congress support some 60 different types of legislation in this area.

So here we have a particular piece of legislation, when we do not now have on the books these safeguards, to provide a comprehensive and coordinated approach to the problems of juvenile delinquency and for other purposes.

I wish to commend the committee, after dealing out great powers to this agency to collect all kinds of personal information on juveniles, for establishing in section 311 safeguards protecting this information.

I rise, to emphasize for the RECORD, a record which should establish the intent of Congress as it pertains to this piece of legislation, that section 311 does read:

> Records containing the identity of any juvenile gathered for purposes pursuant to this title may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

I may quarrel with some of the language of this particular section. For instance, instead of using the word "record," I would have used "personal information," which is broader in scope. Nevertheless, an honest effort has been made by this committee to establish by law that information of a personal nature must be protected.

Mr. Chairman, I do commend this committee for taking the time, for showing sensitivity, for showing concern for the personal information of juvenile delinquents.

I yield back the balance of my time.

Mr. MURPHY of Illinois. Mr. Chairman, the House is now considering a bill which deserves our serious consideration, the Juvenile Delinquency Prevention Act. This act establishes a Juvenile Delinquency Prevention Administration within the Department of Health, Education, and Welfare and seeks to coordinate juvenile delinquency efforts on the Federal, State, and local levels.

The problems of youth today are many and varied. They are real problems creating genuine anxieties which too often the youth cannot face. Unable to cope with the demands made upon them either by their peer groups or by their parents, young people take a greater risk by hiking their way across the country. This escape from the protective custody of home and friends places more pressure on the youth. They hesitate to contact parents or friends and consequently, with no one to turn to, they make associations which lead them further astray, providing they are lucky enough to stay alive.

Runaway youth are especially vulnerable. Why they feel the need to leave home is often perplexing. This does not, however, lessen our responsibility to these troubled young people. We must offer that helping hand or that shoulder to lean on when they seek help.

Too often the next step for a runaway is a crime. A crime perpetrated out of necessity, perhaps for food, but nevertheless a crime. The struggle for survival could easily lead the juvenile to a lifetime of crime. He may not even choose this but for his livelihood this is the direction he takes.

The bill before us today goes a long way in the prevention and treatment of juvenile delinquency. It also establishes a Federal assistance program for runaway youth and their families.

The administration of this type of program is placed within the Department of Health, Education, and Welfare. In this way we approach the problem more as a social service rather than as a problem of law enforcement or criminal justice. We must avoid a negative labeling that results from grouping juvenile delinquency as law enforcement.

In focusing our attention to the problems of these young people we must emphasize the human values which have led them to their life of crime. We must provide alternatives to institutionalization. Only in working with these confused and frightened teenagers in a positive way can we hope to assist them.

Mr. WOLFF. Mr. Chairman, I rise in support of H.R. 15276, which is a comprehensive and coordinated approach to the problem of juvenile delinquency. The scope of this problem is vast, and certain aspects of it deserve particular attention. One of the provisions of H.R. 15276 in which I am especially interested would authorize special emphasis block grants to the States and local communities to deal exclusively with special problems associated with juvenile delinquency. It is my hope that these special emphasis grants would encompass such critical delinquency problems as that of vandalism, the willful destruction, damage, and defacement of property.

Today our cities are burdened with rampant costs stemming from the problem of vandalism. Funds are continually being allocated to counter criminal acts that strike at property ranging from mass transit systems to parks, zoos, and schools. It is a vicious cycle and the picture is becoming bleaker. The total cost assumed by the States to repair the damage wrought by vandalism has been estimated as high as a billion dollars a year. Experts generally agree that the highest rates of vandalism occur between the ages of 14 and 18. Thus, I feel that vandalism should be given top priority in the area of juvenile delinquency prevention and not be ignored or passed off lightly.

To understand vandalism our programs must focus on the conditions which foster this particular type of delinquency. Programs for the treatment and prevention of vandalism must include not only rehabilitation and the rechanneling of destructive energies into constructive measures but also explore the many factors which encourage vandalism.

I sincerely hope that the bill before us today will include special emphasis on vandalism as one of the major problems of juvenile delinquency.

Mr. BELL. Mr. Chairman, it has become increasingly evident during recent years that strong Federal leadership is needed in the areas of prevention, treatment and rehabilitation of juvenile delinquents. The measure before the House today, H.R. 15276, the Juvenile Delinquency Prevention Act of 1974, is in direct response to this need.

At this time, I would like to commend my distinguished colleague from California (Mr. HAWKINS) and my distinguished colleague from Wisconsin (Mr. STEIGER) for their efforts on this important bill.

Statistics show that approximately 50 percent of all serious crime in the United States is committed by persons under the age of 18. Today, serious crime is increasing in both our cities and suburbs. This fact illustrates the inadequate job that is currently being done by those Federal agencies responsible in the area of juvenile delinquency.

Testimony before the House Subcommittee on Equal Opportunities emphasized the need for new direction and stronger leadership in the juvenile delinquency field. By concentrating Federal effort in this area, crime would be abated and the resulting effect on society would be immeasurable. No one can deny that one of our Nation's greatest resources is our youth. By proper education, treatment, and rehabilitation, we can help a youthful offender become a meaningful member of society. By focusing our efforts on delinquency prevention, we can deter a potential youth offender and help direct his efforts in a constructive manner.

Our country has been willing to pay the cost of crime in our society for too many years. Personal and property losses are extensive. In testimony before the Subcommittee on Equal Opportunities, the Honorable CLAUDE PEPPER quoted Dr. Jerome Miller who engineered the deinstitutionalization of the Massachusetts Juvenile Corrections System:

> For what it costs to keep a youngster in a training school, you can send him to the Phillips Exeter Academy; have him in individual analytic psychotherapy; give him a weekly allowance between $25 and $50 plus a full clothing allowance. You could send him to Europe in the summer and when you bring him back still have a fair amount of money left over.

The time has come for us to redirect our spending—to prevent such costs by providing the proper education, treatment and rehabilitation for our youth.

Mr. Chairman, the Juvenile Delinquency Prevention Act of 1974 contains many important sections and focuses on the need for the proper coordination of Federal, State, and local juvenile delinquency efforts. It establishes a program to deal with the problems of runaway youth; an Institute for the Continued Studies of the Prevention of Juvenile Delinqency; an Independent Coordinating Council on Juvenile Delinquency Prevention; and a discretionary fund to be used for special emphasis prevention and treatment grants.

A common denominator among juvenile delinquents is a lack of education. Consequently, I feel it imperative that a program of juvenile delinquency prevention, such as H.R. 15276, be placed within the Department of Health, Education, and Welfare. I believe that this agency is best suited to deal with the entire youth—his education, welfare, and development—not merely the youth as a criminal offender. HEW also has longtime experience in dealing with youth, in developing programs, and has broad contact with nongovernment agencies.

Federal efforts in the area of juvenile delinquency have been fragmented and such an approach has resulted in great loss to our society. We need to tighten up, to focus and to direct. This measure, H.R. 15276, is a comprehensive answer to our complex juvenile delinquency problem. We need this legislation and I would urge my colleagues to unanimously support the bill as reported out by the House Education and Labor Committee.

Mr. KASTENMEIER. Mr. Chairman, I rise in support of the Juvenile Delinquency Prevention Act of 1974. I am particularly pleased to note that the Education and Labor Committee has included in this bill provision for establishing an Institute for Continuing Studies of the Prevention of Juvenile Delinquency. My own Judiciary Subcommittee held hearings in 1970 and 1971 on separate legislation to create such an institute and, in 1972, I joined with the chief sponsors of this legislation, Mr. RAILSBACK, Mr. BIESTER, and our former colleague, Ab Mikva, in guiding such a bill through the House. However, since the bill before us today is designed to establish a coordinated approach to Federal programs dealing with juvenile delinquency, it is perhaps more appropriate that the Institute be contained as an integral part of this measure.

The hearings held by my subcommittee clearly established the need for such a central clearinghouse to coordinate and disseminate research data on juvenile delinquency. The hearings also highlighted the lack of trained personnel as a serious problem in dealing with juvenile delinquents. We discovered a proliferation of programs designed to deal with juvenile delinquency prevention and treatment, as well as punishment, but no single vehicle to bring these programs together—no single vehicle to bring together the knowledge gained through experience in order to devise more effective programs. The Institute will hopefully provide the mechanism for vast improvements in our overall approach to juvenile delinquency.

At the same time we discovered this void, we were being told that almost 50 percent of all serious crimes committed in this Nation were committed by juveniles, and that the recidivism rate for youthful offenders ranged anywhere from 50 to 75 percent. Mr. Chairman, these were truly distressing figures to us in 1970 and 1971. Yet, 4 years later, the figures have not substantially changed. This should tell us that the need which my subcommittee discovered in 1970 still exists today. It should tell us that the programs we have had operating, while perhaps successful to a limited degree have not been successful in the broad sense.

The Education and Labor Committee found, as we did 4 years ago, that Federal efforts in juvenile delinquency prevention and treatment are woefully inadequate. They also found that those that do exist are greatly fragmented and lack coordination. The bill which the committee has recommended to deal with this problem is a good bill. It provides the coordination between Federal, State, and local efforts which has been lacking to date. Perhaps most important, it focuses on the need to recognize the first signal light of trouble, and turn young people, who might be destined to lives of crime, away from the life of a hardened criminal. Its focus is on prevention of juvenile delinquency rather than on crime and punishment after these young people have entered the delinquent world.

There has been some discussion as to whether the proper administering agency for this program should be HEW or LEAA. my experience with corrections through my Judiciary Subcommittee has convinced me that crime and delinquency are as much, if not more, social problems as law enforcement problems. It has convinced me that greater efforts must be made to deal with those social problems which lead people to lives of crime. This is perhaps more true for young people who offer greater opportunities for successful prevention programs than those adults who have already entered the criminal world.

Clearly, the focus of HEW programs is on such social problems, while the focus of LEAA is more law enforcement. Because of the emphasis of this legislation on prevention and treatment, I share the view of the committee that HEW should be the administering agency. This does not mean, however, that the expertise gained by existing LEAA-funded local and State structures is to be ignored. In fact, the committee bill provides broad latitude to State Governors in their designation of planning and administering bodies for State programs. This means, for example, that those State planning agencies created under the Omnibus Crime Control and Safe Streets Act can be designated as the planning and administering body for the State.

Mr. Chairman, this legislation is badly needed. It attempts to establish a coordinated approach which has the potential for saving countless numbers of young people from lives of crime. The youth of America represent our future and we can afford to do no less than help steer those young people who might be swayed to lives of crime into productive lives. I urge adoption of this legislation.

Mr. MCKINNEY. Mr. Chairman, despite the efforts of existing Federal pro-

grams, we have seen in this country an appalling rise in the rate of juvenile delinquency, defined both as criminal and noncriminal activity. Perhaps the most shocking statistic is the rise in arrests for criminal activities among youths under the age of 18 at a rate of 124.5 percent in the last decade. And this despite the enactment of the Juvenile Delinquency and Youth Offenses Control Act of 1961 and its replacement, the Juvenile Delinquency Prevention and Control Act of 1968. This is truly a searing comment on the need for coordinated Federal, State, and local efforts to prevent delinquency which H.R. 15276, the Juvenile Delinquency Prevention Act of 1974 provides.

The emphasis of this bill is on the local community where the problems of youth must be confronted most directly. The formula approach for grants to the States assures that each State will receive funds according to its own particular need and in addition encourages further coordination of efforts on the State level. I am encouraged by the inclusion of a discretionary Federal fund for the development of new approaches and techniques in dealing with disturbed youth and community-based alternatives to traditional forms of delinquency prevention.

I am particularly pleased by the inclusion of the Institute for Continuing Studies of Juvenile Justice within H.R. 15276. I had the privilege of cosponsoring separate legislation along these lines with our colleague, Hon. TOM RAILSBACK, earlier in this Congress. I feel that this section will make it possible to gather the information and statistics needed to evaluate programs sponsored by this legislation.

In light of the fact that there is not precise data available as to the overall budget outlays for delinquency prevention, the need for the compilation of such information seems self-apparent. The institute's evaluation of delinquency prevention programs is no less important than providing the funds for the programs in the first place. This is especially true in a time when the Congress must weigh the inflationary impact of any added Federal spending. The problem with too many federally funded programs is that there is no evaluation process available to the Government to insure that the moneys being spent are effective in realizing the goals of the programs. The institute provides the means for accomplishing this end.

Another innovation the institute provides is short-term training, workshops, and seminars for those working with youth in the local community in the latest effective techniques for dealing with disturbed and delinquent young people. The institute would also develop technical training teams which can be sent out to State and local agencies to work directly with youth. Hopefully these teams will be able to aid local communities by adding insights and skills which might not ordinarily be available to them. Finally, establishment of the institute provides a focal point for the widely divergent groups who will be involved in the administration of this legislation, and as such contribute to the elimination of the fragmentation which now exists in the field of juvenile delinquency.

The members of the Committee of Education and Labor are to be commended for their recognition of the merit of the Institute for Continuing Studies of Juvenile Justice and the contribution which the institute makes to the successful administration of the Juvenile Delinquency Prevention Act. The support for this provision, especially for the training of professionals and nonprofessionals in this field is broad-based, extending from law enforcement agencies to social service organizations.

When I first came to Congress, drug related crimes among young people had reached what appeared to be epidemic proportions. In our efforts to deal with this problem, we focused on prevention of drug abuse and drug related crimes by establishing programs to deal with it as a health and social problem. I believe we have made real progress with this approach in this area.

With this bill, we tackle the attandent problem of youth, juvenile delinquency. In the last session of this Congress, the House passed similar legislation to this, but in the last rush toward adjournment, the Senate failed to act on it. It appears that we will not repeat that mistake.

One of the most disturbing aspects of this problem is the high rate of recidivism. It has been established that 72 percent of youthful offenders return to prison within 5 years of their first offense. In our present penal system, it is not too difficult to conclude that meaningful rehabilitation, as illustrated by the above statistic, has been almost nonexistent. Our efforts then with this legislation are to prevent the juvenile from reaching what unfortunately has become the end of the road, incarceration. As Brother Al Behm of the Glenmary Home Missionaries, a constituent who is deeply involved in youth work in Fairfield, Conn., wrote in a booklet for young people, "I've never met a bad one," they are perhaps confused, alienated, but mostly in desperate need of help.

Mr. Chairman, it is my hope that with this legislation, emphasizing local control and coordinated with Federal efforts, we can reverse these tragic statistics. I strongly recommend my colleagues support for this legislation, not as money to be thrown at a problem, but as a responsible measure designed to curb what is becoming a national tragedy.

Mrs. CHISHOLM. Mr. Chairman, the push-out is the student who through discriminatory treatment and arbitrary actions of school authorities is excluded from school, or else is so alienated by the hostility, of his or her school environment, that he or she leaves school. A solution to the problem of the student pushout is central to the effort to reduce juvenile delinquency from North to South in this country for it is clear that the discriminatory and arbitrary application of school discipline especially in the form of suspensions and expulsions in a significant precursor of youth offenses.

A district supervisor for the Florida Division of Family Services said:

> School difficulties are the forerunners of social failure. . . . There is a strong correlation between those students who are suspended, and those young people who appear in juvenile court. . . . I am in favor of a reduction in the number of suspensions. We create delinquent children.

A Birmingham juvenile court judge put it this way:

> I would guess that 50 percent of those who appear in juvenile court have at one time been suspended from school. . . . A lot of juvenile delinquency preventive work could be done in the schools.

And the director of a county juvenile center in Georgia pointed out that:

> School suspension problems lead to delinquency problems.

She also reported that:

> Seventy percent of those juveniles found delinquent in Juvenile Court last year had either prior suspensions or expulsion from school. Eight percent more had dropped out when their cases came up.

Data collected by the Office of Civil Rights, HEW, shows that not only are there a seriously inappropriate number of suspensions and expulsions in some school districts, but that in almost all the larger cities surveyed, in the North as well as the South, the proportion of minority students who are pushed out is much greater than it is for white students.

Results from OCR's 1971 school survey indicate that in general, minority students are twice as likely to be expelled as nonminority students and that black students in particular are three times as likely to be expelled as nonminority students.

The data from New York City, for example, show that of 19,518 pupils suspended in the 1972–73 school year, 16,780, or 85.9 percent, were from minority groups. There were no expulsions reported from New York City schools. The minority enrollment in New York schools was 64.4 percent, the figures showed.

In Dallas, of 42 pupils expelled, 39, or 92.9 percent, were from a minority group. The city's minority enrollment was 49.4 percent, while 68.5 percent of the suspensions were of pupils from a minority group.

In Cleveland, the minority enrollment was 59.9 percent. Of 11,634 pupils suspended, 8,344 or 70.8 percent, were from a minority group.

Under the authority of H.R. 15276, HEW can make grants and contracts to agencies, organizations, and individuals for pushout prevention programs under Special Emphasis Prevention and Treatment Programs, and as a part of State plans under this legislation. Priority is given in the legislation to private, nonprofit organizations. I would encourage the funding of community groups outside the school system and other governmental agencies, for the design and implementation of such programs. Examples are: First, the hiring of lay advocates to represent students and parents in due process procedures that may be instituted when a student is suspended or expelled, and second, the establishment of counseling groups outside the school that can assist students in adjusting to a hostile school environment, can

advise a student and his or her parents of their due process rights.

Because many school systems have failed to develop positive approaches for correcting disruptive behavior in the schools, they utilize disciplinary techniques which often remove the problem from the jurisdiction of the schools, but seldom correct it.

I would hope that in the course of funding programs to prevent students from being pushed out that such assistance would be focused primarily on first, school districts having an egregiously disproportionate number of minority suspensions and expulsions—such districts will typically have a history of school discrimination and racial tension, and second, on school districts demonstrating abnormally high suspension and expulsion figures for all students regardless of race.

Another of the most insidious forces leading to juvenile delinquency is the labeling of individual children "potentially delinquent" or "pre-delinquent." Fortunately, the bill before us today does not contain language directing programs to focus attention on either "youths in danger of becoming delinquent" or "potentially delinquent youth." Both of these unfortunate labels were in earlier versions of H.R. 15276. I commend the Subcommittee on Equal Opportunities for having the foresight to delete such potentially dangerous language from the bill.

The National Education Association has presented some pithy statistics that demonstrate the connection between juvenile delinquency and student pushouts and dropouts. This data follows:

There are nearly 2 million school-aged children who are not in school. Most of them live in the large cities.

Of the students who are attending classes, more of them will spend some portion of their lives in a correctional institution than those who will attend all the institutions of higher learning.

On any given school day of the year, you will find 13,000 children of school age in correctional institutions and another 100,000 in jail or police lockups.

Of every 100 students attending school across the nation, 23 drop out [or are pushed out], 77 graduate from high school, 43 enter college, 21 receive a B.A., 6 earn an M.A., and 1 earns a Ph. D.

Many States now spend more money to punish a juvenile delinquent than to educate an ordinary student. The State of Iowa, for example will pay $9,000 a year to keep a student in a juvenile home, but only $1,050 for a student in school. Maryland spends $18,000, Michigan $10,000, and the District of Columbia spends $7,469 for a year of a youthful offender's time in a correctional institution. These figures are far less than is spent on the average student in regular school.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the Juvenile Delinquency Prevention Act (H.R. 15276) that is now before the House will receive favorable consideration and will be overwhelmingly adopted.

As we all know, juvenile delinquency and the problems generally associated with it are of growing national concern. The offenders themselves speak of the emotional and physical harm they have brought upon themselves, oftentimes the result of a single impetuous act, and the resultant stigma they must carry with them for the rest of their lives. Over and over again, we hear of the pain juvenile delinquency has brought to mothers and fathers, shattering the harmony of family life; the disruption it has caused in our educational institutions, impeding the learning process; and the financial burden and fear it has imposed upon our communities.

Many reputable and responsible authorities, Mr. Chairman, agree that we must enlist all the available resources that exist both within and outside of the Government, as well as the combined and cooperative efforts of all branches and levels of government if we are to fully respond to the need for finding solutions to this urgent problem.

I believe, Mr. Chairman, that the legislation before us today reflects a prudent and wise response in this direction. Under the provisions of this bill, an administrative agency will be established within the Department of Health, Education, and Welfare to allocate funds and coordinate existing and new programs, undertaken to prevent and treat the problem of juvenile delinquency. A special Institute for the Continuing Studies of the Prevention of Juvenile Delinquency will be established to research the causes of the problem, and provide training and technical assistance for those engaged in this important work; and, perhaps most important, the thrust of this whole proposal is to stimulate the development of prevention programs at the local levels where the problems are most keenly felt and very probably best understood.

Mr. Chairman, the future of our Nation rests with those yet to assume the duties of good citizenship. Any reasonable effort we make to create an effective delinquency prevention system that will provide the opportunity to all juvenile offenders to become mature responsible adults is of unquestioned national benefit. This legislation is designed to initiate such a system and therefore should receive our responsive support.

Mr. BAUMAN. Mr. Chairman, I rise in opposition to H.R. 15276, the Juvenile Delinquency Prevention Act. While the title of the bill has a laudable sound, my examination of this legislation convinces me that this bill takes the wrong approach in fighting juvenile delinquency and does so at an astronomical cost. It will appropriate almost one-half a billion dollars over the next 4 years, greatly increasing expenditures in this area at a time when we should be looking for ways to cut the budget.

Also objectionable is the consolidation of juvenile delinquency programs under the Department of Health, Education, and Welfare. I would much prefer to have had such programs administered through LEAA, which is the position that the Governor of the State of Maryland supported. Unfortunately, unless the amendment to be offered by the gentleman from Minnesota (Mr. QUIE) is adopted, this bill will give HEW various new programs they are ill equipped to administer.

More than $140 million a year are now being spent directly on juvenile delinquency programs and there are any number of other Federal programs for youth under social services, vocational rehabilitation, and manpower training. This particular bill also goes a long way toward bringing the States under more Federal control by forcing the States to submit plans to the Federal Government in order to qualify for funding.

Lastly, Mr. Chairman, I pose the thought of the countless thousands of parents who will have to work countless hours away from their children to pay the taxes to support this and other programs. Perhaps if we curtailed the lavish spending that requires such high taxes, these parents would have time to prevent juvenile delinquency and also be able to maintain the strength of the family which is the basis of our society.

Mr. NIX. Mr. Chairman, I rise in full support of H.R. 15276, the Juvenile Delinquency Prevention Act of 1974.

Few problems in this Nation are as disheartening and as difficult to deal with as the problem of juvenile delinquency. And yet we know that the problem must be dealt with. Troubled juveniles too often turn to a life of violent crime against their fellow human beings. And once a young man has begun a life of crime, it becomes harder and harder to restore him to a useful life in civilized society.

This bill quite properly concentrates Federal assistance on programs of prevention and early treatment of juvenile delinquency. It provides help to our cities and States to enable them to combat this problem at the local level. It will provide financial assistance for such programs as community-based group homes and halfway houses, youth service bureaus, drug treatment programs, and education and probation services.

The bill also establishes a runaway youth program and an Institute for Continuing Studies of the Prevention of Juvenile Delinquency. And finally, it will establish a flexible discretionary fund that will allow Federal resources to be used where they will do the most good.

Mr. Chairman, this bill will provide a significant improvement in our effort to deal with the serious problem of juvenile delinquency. I commend the gentleman from California (Mr. HAWKINS) for his leadership in this vital area and I urge passage of the bill.

Mr. McCLORY. Mr. Chairman, I will support the amendment of the gentlemen from Minnesota (Mr. QUIE) to transfer authority for administration of this important program from HEW to the Law Enforcement Assistance Administration; and I commend my friend, the gentleman from Minnesota (Mr. QUIE) for offering this amendment and showing the House the proper way to insure the future success of the Federal Government's efforts to prevent juvenile delinquency. This is an important piece of legislation and I favor its enactment; but, I support this amendment because its passage will improve the performance

of the Federal juvenile delinquency prevention program by putting its administration in the hands of the Agency which is most competent to run it.

Mr. Chairman, this amendment deserves the support of all Members of this House. The LEAA's leadership in this important area has been well documented in the supplemental views of the gentleman from Minnesota, and well explained in his remarks on the floor today. Those Members who want the Federal Government to make its best possible effort to help juveniles and eliminate delinquency will be wise to take the administration of this program out of the control of HEW, which has run the program haphazardly at best with little show of enthusiasm; and give the LEAA proper authority to administer this program as an acknowledgment of its previous leadership in the juvenile delinquency prevention effort, and also as the best way of coordinating a truly effective program that functions well at the State and local as well as Federal level.

Mr. Chairman, everyone agrees that the key to an effective juvenile delinquency prevention program is close cooperation between State, local, and Federal authorities. In this respect, it is clear that LEAA has demonstrated its ability to coordinate a successful program with State and local officials in almost 2,000 projects dealing directly with juvenile delinquency. On the other hand, as the gentleman from Minneosta states in the committee report:

> Any objective review and comparison of the two agencies and their records in the area of juvenile delinquency will conclusively show that HEW is simply not capable of carrying out the mandate of the committee bill.

Mr. Chairman, those who would try to frame the issue raised by this amendment as a question of whether the police or social workers ought to administer this program, do a great disservice to the young people who can benefit from more effective operation of this program. HEW has had responsibility for this program since 1961, and most observers agree that its performance has been less than satisfactory. LEAA has shown both competency and enthusiasm in tackling the problems of juvenile delinquency. The facts show that the LEAA is already the de facto leader in the Government's effort to deal with juvenile delinquency; this amendment will merely give the LEAA the formal legal authority to lead the Federal effort in this area, so that the full benefit of its expertise and knowledge can be utilized to both deal with the criminal aspects of delinquency and care for the youngsters involved.

Mr. Chairman, this amendment deserves the support of all my colleagues who are truly interested in initiating a strong and effective juvenile delinquency program, and I urge its adoption.

Mr. FORD. Mr. Chairman, as a member of the Committee on Education and Labor, I have a special interest in the bill we are considering today. H.R. 15276, the Juvenile Delinquency Prevention Act of 1974, would provide structure to our current patchwork system of juvenile justice and develop a system responsive to the needs of juveniles. This bill develops a structure—a means of providing resources and coordination—to State and local governments and nonprofit agencies to provide effective juvenile delinquency prevention and treatment mechanisms.

As we all know, the problem of juvenile delinquency is one which is becoming ever more serious. Our committee, over the past years, has studied this problem and found that current programs cannot provide the types of services needed to work effectively with potential and current juvenile delinquents. The problem of how to prevent juvenile delinquency has not ever been addressed in a serious and productive manner.

H.R. 15276 establishes a new national program to coordinate and provide Federal leadership in comprehensive juvenile delinquency efforts; and, for the first time, encourages States, localities, and private agencies to develop programs designed to divert juveniles from the present system of institutionalization into new community-based facilities.

Mr. Chairman, I firmly believe that current institutions and facilities for housing juveniles are not satisfactory and that dramatic change in delivery of services to juveniles is needed.

However, there is a possibility that certain provisions in the bill, such as the one which encourages the placement of juveniles in shelter facilities, rather than juvenile detention facilities, could have some affect on the number of jobs required in existing correctional facilities. If a State correctional facility is forced to cut back on its manpower requirements, we must not overlook the job protections and benefits that these individuals have accrued over the years. Therefore, I rise in support of the amendment by the gentleman from Wisconsin (Mr. STEIGER) which would provide adequate safeguards for these employees.

The intent of employee protection language introduced here today is to preserve the rights, privileges, and benefits under existing collective bargaining agreements or otherwise; continue collective bargaining rights; provide training or retraining programs; and continue employment for affected individuals at equivalent pay and responsibility levels. It seems only fair that we enable low-paid workers the opportunity to transfer jobs and job rights.

I do not believe it was our intent to threaten the economic well-being of these State and local government employees. In reforming our program for juvenile delinquents, we must not ignore the thousands of experienced employees at State and local levels who work in present programs. Their rights under the proposed program must be protected.

Mrs. GRASSO. Mr. Chairman, juveniles are responsible for nearly half of the serious crimes committed in this country. However, until fairly recently, Federal efforts to abolish juvenile crime has been minimal. In fact, what assistance exists has been geared almost entirely to controlling rather than preventing delinquency.

The bill before us today—H.R. 15276, the Juvenile Delinquency Prevention Act of 1974—would enable the Federal Government and the States to develop better juvenile delinquency programs. In particular, the bill would offer the States an opportunity to develop a comprehensive, coordinated program which could deal with this urgent, and too often overlooked, problem.

To accomplish its goals, the bill would establish a Juvenile Delinquency Prevention Administration and require an annual report on and evaluation of all Federal juvenile delinquency programs. It would encourage the States to develop advanced and innovative alternatives to the traditional programs for dealing with delinquency, establish a program to deal with the increasing problem of runaway youths, and set up an institute to conduct research into the problem.

The bill authorizes $375 million over 4 years, most of which would be allocated to the States for local programs. As much as $4,050,000 in State grants would be available for Connecticut to combat the problems of delinquency.

The goal of this legislation is to encourage the States and localities to get to the cause of the delinquency problem and deal with its roots within the community. The States would be required to establish a coordinated plan which would include the development of advanced techniques for the treatment and prevention of juvenile delinquency. Sufficient opportunity exists for local input, by law enforcement, education and welfare officials, and representatives of other interested groups.

Once the State plan has been approved, 75 percent of the State's funds must deal with programs designed to prevent delinquency. A State which effectively utilizes its Federal assistance could construct a program both responsive to the needs and problems of these troubled youths and beneficial to society.

Mr. Chairman, I believe that H.R. 15276 presents a constructive alternative to existing programs which too often do not consider the cause of youth crimes. I support the bill and urge its passage by the House.

Mr. HAWKINS. Mr. Chairman, I have no other requests for time, and I reserve the balance of my time.

The CHAIRMAN. Under the rule, the Clerk will now read the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION. 1. This Act may be cited as the "Juvenile Delinquency Prevention Act of 1974".

FINDINGS

SEC. 2. The Congress hereby finds that—

(1) juveniles account for almost half the arrests for serious crimes in the United States today;

(2) understaffed, overcrowded juvenile courts, probation services, and correctional facilities are not able to provide individualized justice or effective help;

(3) present juvenile courts, foster and

protective care programs, and shelter facilities are inadequate to meet the needs of the countless neglected, abandoned, and dependent children, who, because of this failure to provide effective services, may become delinquents;

(4) existing programs have not adequately responding to the particular problems of the increasing numbers of young people who are addicted to or who abuse drugs, particularly nonopiate or polydrug abusers;

(5) juvenile delinquency can be prevented through programs designed to keep students in elementary and secondary schools through the prevention of unwarranted and arbitrary suspensions and expulsions;

(6) States and local communities which experience directly the devastating failures of the juvenile justice system do not presently have sufficient technical expertise or adequate resources to deal comprehensively with the problems of juvenile delinquency;

(7) the adverse impact of juvenile delinquency results in enormous annual cost and immeasurable loss in human life, personal security, and wasted human resources;

(8) existing Federal programs have not provided the direction, coordination, resources, and leadership required to meet the crisis of delinquency; and

(9) juvenile delinquency constitutes a growing threat to the national welfare requiring immediate, comprehensive, and effective action by the Federal Government.

PURPOSE

SEC. 3. It is the purpose of this Act—

(1) to provide the necessary resources, leadership, and coordination to develop and implement effective methods of preventing and treating juvenile delinquency;

(2) to increase the capacity of State and local governments and public and private agencies, institutions, and organizations to conduct innovative, effective delinquency prevention and treatment programs and to provide useful research, evaluation, and training services in the area of juvenile delinquency;

(3) to develop and implement effective programs and services to divert juveniles from the traditional juvenile justice system and to increase the capacity of State and local governments to provide critically needed alternatives to institutionalization;

(4) to develop and encourage the implementation of national standards for the administration of juvenile justice, including recommendations for administrative, budgetary, and legislative action at the Federal, State, and local level to facilitate the adoption of such standards;

(5) to establish a centralized research effort on the problems of juvenile delinquency, including an information clearinghouse to disseminate the findings of such research and all data related to juvenile delinquency;

(6) to provide for the thorough and prompt evaluation of all federally assisted juvenile delinquency programs;

(7) to provide technical assistance to public and private agencies, institutions, and individuals in developing and implementing juvenile delinquency programs;

(8) to assist States and local communities with resources to develop and implement programs to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions;

(9) to establish training programs for persons, including professionals, paraprofessionals, and volunteers, who work with delinquents or potential delinquents or whose work or activities relate to juvenile delinquency programs;

(10) to establish a new Juvenile Delinquency Prevention Administration in the Department of Health, Education, and Welfare;

(11) to establish an Institute for Continuing Studies of the Prevention of Juvenile Delinquency, to further the purposes of this Act; and

(12) to establish a Federal assistance program to deal with the problems of runaway youth.

DEFINITIONS

SEC. 4. For purposes of this Act—

(1) the term "community-based" means a small, open group home or other suitable place located near the juvenile's home or family and programs of community supervision and service which maintain community and consumer participation in the planning, operation, and evaluation of their programs which may include medical, educational, social, and psychological guidance, training, counseling, drug treatment, and other rehabilitative services;

(2) the term "construction" means acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings, or any combination of such activities (including architects' fees but not the cost of acquisition of land for buildings);

(3) the term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house such machinery utilities, or equipment;

(4) the term "juvenile delinquency program" means any program or activity related to juvenile delinquency prevention, control, diversion, treatment, rehabilitation, planning, education, training, and research, including drug abuse programs, the improvement of the juvenile justice system, and any program or activity for neglected, abandoned, or dependent youth and other youth who are in danger of becoming delinquent;

(5) the term "local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, and an Indian tribe and any combination of two or more such units acting jointly;

(6) the term "public agency" means any State, unit of local government, combination of such States or units, or any department, agency, or instrumentality of any of the foregoing;

(7) the term "Secretary" means the Secretary of Health, Education, and Welfare;

(8) the term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

(9) the term "Federal agency" means any agency in the executive branch of the Federal Government;

(10) the term "drug dependent" has the meaning given it by section 2(g) of the Public Health Service Act (42 U.S.C. 201(g));

(11) the term "Administration" means the Juvenile Delinquency Prevention Administration established by section 101(a);

(12) the term "Director" means the Director of the Administration;

(13) the term "State agency" means an agency designated under section 214(a)(1);

(14) the term "local agency" means any local agency which is assigned responsibility under section 214(a)(6);

(15) the term "Institute" means the Institute for Continuing Studies of the Prevention of Juvenile Delinquency established by section 301(a);

(16) the term "Administrator" means the Administrator of the Institute; and

(17) the term "Council" means the Coordinating Council on Juvenile Delinquency Prevention established by section 501.

Mr. HAWKINS (during the reading). Mr. Chairman, I ask unanimous consent that sections 1, 2, 3, and 4 commencing on page 51 and concluding on page 57, line 23, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 54, line 23, strike the words "Administration in the Department of Health, Education, and Welfare" and insert in lieu thereof "Office in the Law Enforcement Assistance Administration, Department of Justice".

Mr. QUIE. Mr. Chairman, the amendment as I have offered it gets to the crux of the problem before us of which agency is going to administer this program. If my amendment is successful, I will offer some conforming amendments as we go through the bill. As I have indicated to my colleagues on the Committee on Education and Labor, I support this legislation. The only problem is that it is in the wrong agency. We put it in the Department of Health, Education, and Welfare. It has been in HEW since 1961. We have watched it operate—or watched it not operate, probably would be better to say.

The issue before the House today is not whether we should or should not have a bill because I believe the one developed by the committee is a good one and goes a long way toward beginning to correct the problems of delinquency around the country. The question that we must decide today is which agency should administer the program—LEAA or HEW. Some of my colleagues will argue that HEW is a superior agency, but their arguments are based solely on philosophy and certainly not supported by fact.

I tend to look at issues in Washington in terms of form and substance. I think the best way to describe the two agencies' efforts in the area of juvenile delinquency is that HEW is long on form, excessive in rhetoric, and particularly limited in its ability to affect juvenile delinquents in general and prevention in particular. LEAA, on the other hand, is a substance organization. LEAA has substance primarily because it has the money and the commitment to begin to address the problems of delinquency.

To illustrate the form and substance argument, I asked HEW to provide information on what they had done through the Office of Youth Development over the past three quarters of 1974, and I received three pages of statistics. I asked LEAA the same thing and I received this printout which is close to 2 inches thick. This is what I mean by substance.

If you look at both agencies on paper and you start from scratch and assume that neither had done anything in the area of juvenile delinquency then you could possibly argue that HEW would be the better agency.

But we are not starting from the beginning and this is not just an exercise that we are going through today. We are trying to establish a program through which all Federal efforts will be coordinated. I think it is important for you to understand that HEW has had the primary responsibility for combating juvenile delinquency since 1961. In 1968 the Congress assigned HEW responsibility to carry out national leadership in developing new approaches to solving the problems of delinquency. Fighting delinquency is not an easy job and it costs money to do the job. Since 1968 the most that HEW has spent through YDDPA and OYD juvenile delinquency programs has been only $10 million a year. LEAA, on the other hand, never had the full congressional mandate to fight delinquency, yet during the last 5 years has spent over $300 million specifically for juvenile delinquency prevention programs. HEW claims to be the best agency because it provides all of the services needed to fight delinquency. Technically they may be correct but this bill is designed specifically to bring about a coordination of activities. I must observe that HEW has not even been able to coordinate its own programs and activities in this area, let alone impact out in the States.

The question that must be decided today is who can best coordinate efforts in the area of juvenile delinquency. I think that you should consider the views of people who know the problems best—the mayors and Governors throughout the country. Here is a sample of some of the telegrams I received yesterday from Governors throughout the country.

The Governor of my own State, Wendell Anderson, said:

I support your efforts to coordinate the planning and funding of juvenile delinquency programs through the LEAA—and have so informed your Minnesota colleagues in the House. I believe your effort, if successful, will provide better coordination of federal efforts to deal with this problem.

Our former colleague Ed Edwards, the Governor of Louisiana, said:

Your proposal to amend House Bill 15276 to permit LEAA to control juvenile delinquency planning has my full support.

Gov. John West of South Carolina said that he supported the placement in LEAA and asked the entire South Carolina house delegation to support the amendment. Mills Godwin, the Governor of Virginia, fully urges and supports a floor amendment to place the responsibility for the programs administered at the national level within the Department of Justice. Gov. Sherman Tribbitt of Delaware stressed the "urgency I attach to the Quie amendment." Gov. Bruce King of New Mexico "encouraged acceptance of the amendment." Gov. Bill Waller of Mississippi said: "Please provide administration through LEAA not HEW." Gov. Cecil Andrus of Idaho said:

I support your efforts to appear on the floor of the House this week to amend the bill in keeping with the National Governors Conference position."

I have many more telegrams, all with similar sentiments.

On Monday of this week each of your offices received a 16-page report entitled, "New Directions in the Criminal Justice System" which was reprinted from the National Cities magazine put out by the National League of Cities. In that reprint Mayor Tom Bradley of Los Angeles said about LEAA:

As a former police officer, I am particularly pleased with the new directions which LEAA is exploring. These include a new emphasis on partnership between the federal government and its teammates at the state and local level; a new emphasis on evaluation, so we will know what works best and what doesn't work very well at all; and a new willingness to face the fact that an awesome amount of this nation's crime goes unreported for a variety of reasons. I am also pleased to see how the new emphasis on the courts, which have received too little attention in the past; the new emphasis on citizen involvement in the system, and the need to treat citizens better and make the system more responsive to them; the new concern for full civil rights compliance in all segments of the system; and the new concern for the ways in which all citizens, including minorities, are treated.

I think the position of the placement of the program in LEAA was best summed up in a letter received from Richard C. Wertz, who is chairman of the National Conference of State Criminal Justice Planning Administrators, who said:

On behalf of the National Conference of State Criminal Justice Planning Administrators (NCSCJPA), which is comprised of the Directors of the 55 State Criminal Justice Planning Agencies operating in the states and territories under provisions of the Omnibus Crime Control and Safe Streets Act of 1968 and its 1973 amendments, I would like to express our position with regard to H.R. 15276, "The Juvenile Justice and Delinquency Prevention Act of 1974."

The NCSCJPA certainly supports the goals of H.R. 15276 and would applaud additional appropriations from Congress in order to launch a substantial effort to reduce juvenile delinquency and carry out the mandate from Congress to the Law Enforcement Assistance Administration (LEAA). However, the proposal in H.R. 15276 to create yet another federal agency within HEW could quite possibly divert and impair a comprehensive approach to reducing the crime which is committed by juveniles.

The NCSCJPA strongly feels that LEAA on the federal level and the existing State Planning Agencies on the state level can provide the intensified coordination necessary to effectively reduce juvenile delinquency. By vesting this authority in H.E.W., confusion might easily arise whereas the use of the criminal justice coordination network which LEAA and the State Planning Agencies have developed would expedite effective implementation of this effort. Both the National Conference of State Criminal Justice Planning Administrators and the National Governors' Conference are on record and would support your efforts to amend this bill which would place this program under the auspices of the LEAA block grant program and would channel the money where the delinquency prevention efforts are needed, the state and local levels of government.

Other State officials have contacted me to indicate support for this amendment. Included among them are the following.

Michael Krell, executive director of the Governors Justice Commission from the State of Vermont, urged the Vermont delegation to support the amendment placing the program under LEAA to prevent further fragmentation of financial resources.

James Gleason, acting director of the Oklahoma Crime Commission, urged the Oklahoma delegation to support the amendment and said:

It would be more beneficial and economical to continue juvenile delinquency planning through LEAA than through another federal agency. LEAA and the Oklahoma Crime Commission now has the experience and the capability.

Ken Dawes, executive director of the North Dakota Combined Law Enforcement Council, sent a telegram saying:

It is my understanding you are contemplating introducing an amendment to H.R. 15276 stipulating LEAA rather than HEW as implementing agency. I urge you to introduce such an amendment as it will provide for a more unified approach to delinquency planning and control.

Archibald Murray, commissioner of the New York Division of Criminal Justice Services, urged all New York delegation members to support the amendment and added:

However, since the Law Enforcement Assistance Administration at the federal level and the Division of Criminal Justice Services here in New York State are currently placing considerable emphasis on juvenile crime prevention and the juvenile justice system, I am very much concerned that H.R. 15276 would create a large new juvenile delinquency program in HEW rather than an expanded program in LEAA. The result could well be duplication of effort and a lack of coordination, both at the federal and the state levels.

Accordingly, I strongly urge you to support an amendment, which I understand will be offered by Congressman Albert Quie of Minnesota on the floor, to substitute LEAA for HEW as the federal administering agency.

Alphonso Montgomery, deputy director of the Administration of Justice Division in the State of Ohio, urged support of the amendment and he said:

I support your introduction of an amendment to H.R. 15276. As I understand your proposed amendment it would unify the administration of the pending juvenile delinquency measure under the existing administrative structures of the Department of Justice and the Law Enforcement Assistance Administration. I believe that approach is an eminently sensible one in that it would avoid needless waste of fiscal and human resources caused by unnecessary duplication of the existing machinery already in place at the federal, state and local level. The LEAA program within the Department of Justice has the proven competence to administer the juvenile delinquency bill at the federal level. Adequate machinery exists as well at the state and local level to carry out the purposes of this important legislation. For these reasons I endorse and support your proposed amendment.

There are many others which are similar in content but I will not include them at this point.

In the committee report I stated some of my reasons why I think LEAA is superior to HEW. I think they are substantial and I want to emphasize them once again.

The extent to which the two agencies reach people is reflected in their own

statistics. HEW claims to have funded during this fiscal year 68 projects under the juvenile delinquency program. According to HEW these projects reach less than 200,000 juveniles. On the other hand, LEAA has 40,000 to 50,000 total projects of which approximately 2,000 are active juvenile delinquency projects. The number of juveniles affected by the LEAA programs, although there is no official count available, could be several million.

In 1971 through HEW's legislation the Congress created an interdepartmental council to coordinate all Federal juvenile delinquency programs. HEW would not or could not supply the leadership or the money necessary to staff the council. In spite of the fact that the council was established as a result of HEW's legislation, LEAA now chairs and provides the staff for it.

In 1971 the Congress passed a 1-year extension of the HEW legislation. The Education and Labor Committee noted in its report that a further extension of the act could not be justified unless HEW showed a marked improvement in its efforts to provide national leadership in dealing with problems of juvenile delinquency. In 1972 the Congress extended the legislation again but only after a commitment was given by HEW to the committee to remove the ineffective head of the HEW program. LEAA, on the other hand, has had no such problems in implementing its program nor dealing with the Congress.

At a time when the Congress is recognizing the tremendous problems facing this Nation in the area of juvenile delinquency and attempting to do something about them, HEW in seeking a renewal of their juvenile delinquency legislation not only did not want the responsibility the Congress previously gave it, they attempted to narrow the scope of its activities. On the other hand, LEAA which originally had only a limited role in juvenile delinquency prevention and control has, without much pressure from the Congress, initiated and expanded its own programs to include projects outside of the juvenile justice system. Through a "seed money approach" they have attempted to involve all States in innovative programs. This legislation could give them the firm mandate to do the complete job.

Probably the most telling argument as to who has the capability, capacity, and desire to do the job can be found when you look at the area of coordination. The committee bill seeks to bring about a more coordinated effort in the area of juvenile delinquency and prevention and yet HEW's present juvenile delinquency program under OYD has no requirements for coordination or integration with other HEW efforts. HEW cannot even coordinate programs under its own jurisdiction throughout the Department. How can you expect them to coordinate the juvenile delinquency activities throughout the whole of government? LEAA, on the other hand, requires that each State have a comprehensive coordinated program to improve juvenile justice systems. This legislation could expand their efforts to give them a specific mandate to cover prevention also.

All of us recognize that the problems of delinquency as well as the solution to combat them can best be identified and carried out at the State and local level. HEW's present juvenile delinquency programs rarely include a coordinated State effort, whereas LEAA is mandated to do so. LEAA presently has a network of 50 State planning agencies. Through the State planning systems money is delivered where it is needed. HEW, on the other hand, has no such network. HEW presently gives money at random without attempting to impact on an entire State's juvenile delinquency problems. If the bill goes to HEW, a new administrative mechanism in each State would be established that could duplicate existing LEAA State boards and create an unnecessary expense for the taxpayers. LEAA has a system presently in place and it makes good sense to me to use that system.

For all of these reasons I think LEAA is superior but one more which I think is very important at this time when we are all conscious of excessive spending on the Federal level is that the matching requirement under LEAA is for cash not in kind as allowed by HEW. I have long been concerned about inkind contributions, which do not amount to a hill of beans, being put up as a local matching share and I have long contended that actual dollars are the only way to guarantee a true local contribution. HEW does not require cash in any of its programs. LEAA requires cash in all of them.

HEW contends that it is the only organization that can bring about coordination and involve nonpolice agencies and organizations in its programs. This is certainly not true and I will cite a few of the examples.

A program recently initiated with LEAA assistance in Compton, Calif., has as one of its purposes the implementation of the National Advisory Commission's standards and goals. Compton was chosen for this precedent-setting project because it had one of the highest crime rates of any city of its size in the country, as well as one of the highest instances of juvenile crime. In an effort to reduce crime in the city and the surrounding area, emphasis will be placed on the prevention of juvenile crime and on programs aimed at the citizen-victim. A unique feature of the Compton program is that LEAA has received commitments from other Federal agencies such as the Department of Health, Education, and Welfare, and the Department of Labor to assist the city in ridding itself of some of the social causes of delinquency.

One model prevention program is in Indiana. The State has developed, with LEAA funding, a statewide Youth Service Bureau system involving 23 cities and serving 100,000 youths in the 10- to 18-year-old category. Indiana's primary purpose is to provide an alternative to court proceedings for youths not in need of adjudication and who may or may not have been picked up by the police. The bureaus do this by identifying resources available to help youths, identifying service gaps and providing or encouraging new resources, diagnosing an individual's problem, and referring him to the relevant community agency for treatment. The bureaus also improve cooperation among private and public juvenile agencies and strengthen community resources. Many other Youth Service Bureaus are receiving LEAA funds all across the country.

A drug program which received LEAA funding in San Diego County's "Drug Education for Youth," which received nearly $60,000 in LEAA funds in fiscal year 1972. This program seeks to reduce juvenile drug arrests through a comprehensive, coordinated program of education and counseling.

DEFY maintains a 24-hour "hot line," which provides instant counseling by a drug abuse counselor to youngsters with drug problems. In this way youths in danger of becoming delinquent because of a drug problem can be helped. DEFY also provides outpatient counseling, and expects to provide this service to 1,500 youngsters this year. The "hot line" averages about 3,500 calls per month.

In addition, DEFY has five community health education teams that tour the county telling teenage boys and girls about alternative life styles. The teams also meet with community leaders to tell them about DEFY's services in helping to cope with drug problems in their communities.

LEAA also funds other types of education programs designed to prevent juvenile crime.

There are hundreds more of examples similar to these all of which do as much or more than the HEW programs say they do. I must point out that LEAA spends 14 times as much as HEW does on these programs.

HEW has been reluctant for years to do much about this program, and each year when amendments or extensions are before the committee, we are distressed because HEW is not doing anything worthwhile in this area.

And then what do we have with LEAA, which has not been given the basic responsibility for juvenile delinquency and which they have engaged in by themselves? In fact, there was a basic understanding indicating that responsibility for prevention was going to be in HEW and criminal justice would be handled by LEAA and they would stay out of the prevention field. But what has happened is that because HEW has been so unenthusiastic about their responsibility, LEAA has had to come into do the job.

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

Mr. QUIE. I yield to the gentleman from Maine.

Mr. COHEN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Minnesota (Mr. QUIE) to place the administering authority for the State grant program established in H.R. 15276 within the Law Enforcement Assistance Administration rather than the Department of Health, Education, and Welfare. I commend the gentleman

for offering this amendment because I sincerely believe it will result in a far more effective program for juvenile delinquency prevention. As a cosponsor of legislation establishing the Institute for Juvenile Justice and the runaway youth program, I would also like to express my pleasure at their inclusion in this bill and my general support for the legislation.

As I understand it, the Federal role intended in H.R. 15276 is to coordinate policy and planning for delinquency prevention services and provide for a prompt funneling of meaningful Federal assistance to State and local groups involved and concerned with the needs and problems of our youth. The legislation therefore calls for considerable planning capabilities and well-developed coordinating mechanisms in the area of juvenile services.

As Congressman QUIE has pointed out, HEW with its categorical grant approach and its seemingly halfhearted commitment to the problems of juvenile delinquency has not demonstrated in past years any particular administrative ability in this area. Furthermore, even with the passage of this legislation, effective implementation by the Department of a comprehensive prevention program could not begin for several years.

Some fear that linking juvenile delinquency prevention with the criminal justice system through the administration of LEAA and the State planning agencies will only lead to greater contact of the juveniles with our criminal justice agencies and will thus defeat the purpose of the program. It should be pointed out, however, that the justice system itself fully recognizes the dangers inherent in involving juveniles in the courts, et cetera, and are increasingly seeking means of diverting them. As the National Advisory Commission on Criminal Justice Standards and Goals pointed out in their report last year:

> History has demonstrated that for many young people juvenile court processing has magnified some of the problems it was created to resolve . . . Furthermore, there is evidence that the more a juvenile is engulfed in the justice system, the greater are his chances of subsequent arrest.

The Commission, however, in urging increased support for local youth services bureaus to provide alternatives for such involvement went on to observe:

> Although many recommend that a youth services bureau should not be operated by any agency of the juvenile justice system, it appears that the bureaus most genuinely capable of diversion are those with a linkage to the juvenile justice system. The most successful bureaus maintain immediate communication but are not coopted by the justice system, . . .

Clearly, the goals of juvenile delinquency prevention programs and the juvenile justice system are very similar. Both are concerned about actions of individuals which may endanger the individual's future as well as society in general. Both are attempting to find alternatives for young people which will enhance their chances for making a positive and meaningful contribution to society. While different in emphasis, the two approaches are nonetheless interdependent. To attempt to separate them as some have recommended can only frustrate the attempts of all those fully concerned with helping the youth of our communities.

Supporters of the HEW Administration argue that the HEW orientation in social services and human development is vital to the program's success. In my opinion, however, such expertise is basically needed at the local level and the responsibility of the Federal agency is to get the assistance to those individuals as efficiently and quickly as possible. At the Federal level, it is administrative commitment and capability which is essential.

LEAA since its inception in 1969 has been continually involved in the administration of State block grant programs and in assisting and coordinating the development of comprehensive planning processes by State planning agencies. Today we are seeing the emergence of SPA's with very effective planning capabilities. The mechanisms for implementing the juvenile delinquency prevention program are therefore already available through LEAA and the SPA's.

Last year, in reauthorizing LEAA, this Congress added a specific mandate for the development of a comprehensive juvenile justice program. The mandate included a requirement that each State develop a juvenile justice plan. During this fiscal year, $140 million in LEAA funds have been provided for juvenile justice programs, $34 million for juvenile delinquency prevention alone. Now the SPA's throughout the country are understandably concerned about the future of these plans and programs. Is their authority to administer these programs to be taken away? Even if their programs are continued, how much time and money will be wasted in a needless duplication of effort? Frankly, the States view the granting of administrative authority to HEW as continuing and probably intensifying the fragmentation of efforts and lack of program coordination which this legislation is supposedly designed to cure. That is why the National Governors' Conference and the National League of Cities are supporting the proposed change of authority to LEAA.

I therefore urge my colleagues to accept the amendment made by the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, on the question of coordinating juvenile delinquency efforts, my colleagues make the claim that HEW is the natural place to do the coordination. But HEW has not even coordinated well its own efforts. On the other hand LEAA has even coordinated with HEW in the States and local communities, coordinating with the HEW-type programs. HEW does not want to have a formula. They want to have it all in project grants. The gentleman from California (Mr. HAWKINS) wanted to provide a formula that would go to the States where it will do some good. I am glad the committee retained the formula, but bear in mind that HEW still does not even want to have one. They want to play God and anyone with grantsmanship can devise one that will appeal to them and HEW will fund it.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

(By unanimous consent, Mr. QUIE was allowed to proceed for 5 additional minutes.)

Mr. QUIE. This legislation provides that a State agency will be set up and so the State planning agency of LEAA can have the agencies under its administration, and it will cause the least amount of trouble. But on the other hand they can run it through a separate agency and then it will be duplicating what is being done by LEAA.

A number of other people have made their comments here today. Just look at what is going on. There are 68 projects under juvenile delinquency in HEW at the present time, while under LEAA there are 40,000 to 50,000 juvenile delinquency projects of various kinds.

I would invite the Members to look through that table of juvenile delinquent programs of the LEAA in the various States that are in operation. A little while ago I mentioned one in Compton, Calif., that has as its purpose the implementation of national standards as the goal. Compton was chosen for this precedent-setting project because it has one of the highest crime rates in a city of its size in the country, as well as the highest instances of juvenile crime and in an effort to reduce the crime rate, emphasis will be placed on the reduction of juvenile delinquency.

The unique feature of the Compton program is that the LEAA has received commitments from the other agencies, the Department of Health, Education, and Welfare, the Department of Labor, and others to assist in this problem of delinquency. We can go through and see these are nongovernmental.

It was pointed out by some that these are tied to the police. There are many separate private agencies that are operating the program. The question of being tied to the police, the police are in the position of providing the law enforcement; but in a good program the police then develop a friendship and a kinship in the community, so that they are a friend to the young people and all kinds of programs have been developed now, the police athletic league and other programs of that nature, which have actually reduced juvenile delinquency. We can run through a number of programs like this as well.

I believe, Mr. Chairman, as we go through the merits of this and get away from the concern whether this committee wants to maintain it with an agency that continually has had its operation with HEW, if we get away from that and look at the merits where this can be passed and most effectively administered to do the most good in the problems of juvenile delinquency, we have to come down on the side of the LEAA.

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

Mr. QUIE. I yield to the gentleman from Texas.

Mr. ECKHARDT. If the gentleman's amendment is enacted, would that place

the title IV provisions which have been generally referred to as the Runaway Youth Act under the Justice Department, rather than the HEW?

Mr. QUIE. No. It would leave the runaway youth bill to HEW. That is one part I would permit to remain. The rest would go under LEAA.

Mrs. CHISHOLM. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment.

There has been a great deal of talk this afternoon with respect to the quantity or the number of projects that the LEAA has been engaging in; but one thing that has not been spoken about is the quality of projects with respect to the handling of the problems that confront us in the area of juvenile delinquency today.

I am in opposition to the gentleman's proposal to transfer the administration of the Juvenile Delinquency Prevention Act from HEW to the Law Enforcement Assistance Administration of the Department of Justice.

LEAA has consistently failed to provide Federal leadership in the area of juvenile delinquency prevention, despite the congressional mandate of 1973, despite LEAA's annual budget of $1 billion, and despite early hopes that it would infuse the entire Federal criminal justice system with leadership, direction, and money.

The track records of LEAA's State planning agencies are mixed; some are good, some are not so good, most would rate a gentlemen's "C" by academic standards. Many States receiving LEAA funds have no programs at all for the prevention and treatment of juvenile delinquency. In total, State LEAA agencies have allocated less than one-fifth of their moneys for seeking remedies to the delinquency problems of this Nation's youth. It was only 4 months ago that LEAA established a juvenile justice division within its office of national priorities and its institute of law enforcement and criminal justice.

LEAA interprets juvenile delinquency prevention as programs for adjudicated juvenile offenders. A substantial part of LEAA's funds for juvenile programs is expended upon such projects as buildings for juvenile detention centers and the training of institutional guards.

LEAA has funded a research program in Puerto Rico into the correlation of brain damage and criminal behavior, an Ohio project of drug usage to modify the behavior of prison inmates, and a Boston study on biological disfunctions in individual violence. Is an agency with such priorities, the place to house a program that is designed to help America's young people lead healthy, successful lives? More than any other single Federal agency, LEAA has been responsible for the dismal failure of Federal juvenile delinquency efforts. To ask LEAA to assume responsibility for this program would be disastrous for the children whom the program seeks to serve. I urge you to reject this proposal.

Mr. HAWKINS. Mr. Chairman, I move to strike the requisite number of words.

(By unanimous consent, Mr. HAWKINS was allowed to proceed for an additional 5 minutes.)

Mr. HAWKINS. Mr. Chairman, I believe that this really is the heart of the issue. The question of which agency administers the program seems to me to be a bureaucratic squabble which we should not get into, but we should relate, it seems to me, the administration with the type of program which this bill proposes to create.

The cornerstone of the LEAA's activities is in the criminal justice system, and that is rightfully where it belongs. But the record of this system in its treatment of juveniles is shockingly harsh, and I think we should consider the fact that nearly 40 percent of the juveniles who are today incarcerated in institutions have committed no criminal offense.

It seems appropriate that we should make some distinction between the role of the LEAA and that of HEW. The line of demarcation, it seems to me, is that LEAA should concentrate on the juvenile justice system—and there is much in this system it can concentrate on; that we should, therefore, relegate to HEW the role of diverting youth from the system. Certainly, the 40 percent who today are incarcerated, having committed no criminal act, do not belong in that system.

It is wasteful not only of human resources, but certainly of financial resources that we continue that situation.

I think that it is also true that under the 1972 act, the Juvenile Delinquency Prevention Act, which we continued, we attempted to make this distinction. In fact, we said to the LEAA, "concentrate on the criminal justice system." We thought that HEW would then concentrate on prevention.

As a result of this confusion, what has happened is that neither agency at the present time is doing the best job of concentrating on prevention. Certainly the record of LEAA is not one which, in my opinion, is admirable.

LEAA spends less than 20 percent of its budget on juvenile programs. Further, in the programs it spends this money on, it makes no distinction between prevention and treatment. For example, under juvenile delinquency prevention, it includes such things as money which is expended for court reform, for police equipment, for training institutional guards, things that certainly are desirable and need to be done, but to classify these as prevention simply continues very wasteful activities that we have constantly continued because we have not directed one or the other agency to do the work.

Under this bill we do provide that State plans be formulated.

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

Mr. HAWKINS. Yes, I yield to the gentleman, the chairman of the committee.

Mr. PERKINS. First, I want to compliment the distinguished chairman of this subcommittee, who has always shown a great interest in problems of this type.

To my way of thinking, with the limited budget, an authorization of approximately $75 million—and we never have had that much money expensed for this purpose by HEW—the gentleman's position that the enforcement should be in HEW is well taken.

I concur with the gentleman that better preventative measures will be taken by HEW because when we get over into the other law enforcement agencies, where we have such a huge budget there, they so often forget about preventative delinquency.

It is my hope that every Member of this body will support the contention of the gentleman from California that the enforcement of this provision belongs in HEW.

If we make it clear-cut on this occasion that we expect a better job in this area, I think that a better job will be forthcoming, and I think that the gentleman is exactly correct in his contention that the membership of this House should keep at least this much money separated from the law enforcement provisions in the Justice Department of the United States, from the standpoint of preventative juvenile delinquency.

Mr. Chairman, again let me compliment the distinguished chairman of this subcommittee.

Mr. HAWKINS. Mr. Chairman, I thank the distinguished chairman of the committee.

Appearing before the committee as witnesses were representatives of the Boys Clubs of America, the Campfire Girls, the National Board of YMCA and of YWCA, the National Jewish Welfare Boards, and others.

These youth agencies testified on this subject, and invariably they indicated that their present relationships are with HEW, not with the criminal justice system and certainly not with LEAA.

Mr. Chairman, here is a statement which they made, which I believe sums up really the best argument that can be made. The statement is as follows:

> The way we have dealt with youth who are in trouble should weigh heavily on the consciences of us all. We have in most instances simply turned away from the problem. It has been easier to lock children up then to try to find the resources needed to help them cope with themselves, their families, their friends, and their society. We are now finally coming to realize that not only have our attempts at rehabilitation failed the child, the youth reformatories have in many instances provided career development opportunities for crime. Our neglect has helped transform children needing help into adult offenders at a price that is staggering in human and economic terms.

It seems to me it is just as simple as that. If our emphasis or our desire is to simply lock children up, then I think we will sustain the amendment and vote to turn the program over to LEAA. But if we want to attempt to help children, to understand them, to develop their strengths, and to develop youth rather than simply conclude that they have failed, that society is somehow jeopardized by them, then it seems to me that we can only then select that agency in which the various human resources pro-

grams now reside, those programs of education, welfare, and social services that can help the children of America. Those are the programs that can prevent them from falling over and becoming delinquent in the first instance.

Mr. Chairman, that is the thrust of this bill. It seems to me that this is the principal issue on which we are going to vote in considering this amendment.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HAWKINS. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I am grateful to the gentleman from California for his remarks, and I want to associate myself with them. I think the gentleman has clearly and precisely pinpointed the issue on which the Members of the House will have to vote.

I agree with the gentleman in what he has stated. As a matter of fact, in quoting from the statement which he just quoted from, the gentleman may recall that I questioned the witnesses when they appeared before us, because my initial reaction was, frankly, that LEAA might, in fact, be the agency. However, after considering the bulk of the testimony and having looked at the field, I am persuaded that the best answer, to the extent that any of us have an answer, is to allow HEW to use its talent and its expertise and use its relationships with groups such as the YMCA, the YWCA, the boys clubs and the girls clubs, and other groups of that kind and let us keep this out of the juvenile justice system. Let us build on the strengths of HEW.

Mr. Chairman, I hope that the amendment is not agreed to.

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

Mr. HAWKINS. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I particularly support the gentleman's position here.

I asked the question of the gentleman from Minnesota (Mr. QUIE) as to what would happen with title IV if his amendment is agreed to. He told me that he intended to keep that in HEW.

However, it seems to me that creates sort of an illogical result, to divide the program and put a portion of the program under one authority and another portion under another, particularly in view of the fact that both have to do with grants to States or grants to organizations within States. It seems to me these are part and parcel of the same problem.

Mr. Chairman, does the gentleman agree?

Mr. HAWKINS. Mr. Chairman, I quite agree with the gentleman.

The CHAIRMAN. The time of the gentleman from California (Mr. HAWKINS) has expired.

(By unanimous consent, Mr. HAWKINS was allowed to proceed for 1 additional minute.)

Mr. HAWKINS. Mr. Chairman, I agree with the gentleman, that there is an inconsistency in the position of the gentleman from Minnesota (Mr. QUIE), in that he does distinguish the runaway children from the others, but also we have the abused children, the neglected children, the severely handicapped children, and children who are really not criminals and who are not bad, any more than most of the runaway children are not bad.

When the gentleman concludes that these children fall into these various categories and some need to be separated from LEAA, what he is doing is saying that LEAA is somehow identified with the criminal justice system relating to children where necessary, and then he is saying we should disentangle some of them from the grip of LEAA, but it is all right to leave some others under that grip.

Mr. ECKHARDT. Mr. Chairman, I certainly agree with the chairman of the subcommittee.

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

Mr. HAWKINS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, the Runaway Youth Act was a separate act which was put in with this legislation; it is under a separate title. This subject matter was never covered before. It is a grant program, as distinguished from the JD program, which is in the formula grant.

That is why I concluded that I would try to disrupt whatever the gentleman was doing as little as possible.

Mr. HAWKINS. Mr. Chairman, I want to make the point that I believe that most children are problematic and are troublesome, but very few become criminals. But the gentleman keeps trying to make a distinction.

Mr. BADILLO. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, if what the gentleman from Minnesota (Mr. QUIE) says about the people in HEW not wanting to enforce the law is true, then they should be fired, but that is no reason for transferring the program to another agency. I do not want to get involved in a bureaucratic dispute in Washington. However, what I am concerned about is how the bill will operate in the local neighborhood once it is approved, because the test of the success of this legislation is whether it can be translated into meaningful programs at the neighborhood level.

I have had a great deal of experience in New York City in developing neighborhood programs, and I can tell the Members that there is absolutely no institution other than the police precinct with whom LEAA is identified, whereas the Department of Health, Education, and Welfare is identified with the schools.

The purpose of this preventive program is to get the kids out of the police precincts and into the schools, and we will not accomplish this if we start off working through the police precincts.

I helped to develop a drug addiction program for teenage youths in South Bronx, and it was only possible to do it because we assured the young people that the police precinct was not going to be involved in deciding how the program was going to be administered.

If we are going to have a successful prevention program we must use those institutions, in the local communities which have credibility. That is why we want to use the schools. That is why we want to use the parent's association and the school boards.

The program which I mentioned during general debate, Project Justice, was only possible because the school was involved and because the parents were involved. It is this kind of program that we need to carry out in every city and every neighborhood throughout the country, and it can best be carried out if it is identified with the Department of Health, Education, and Welfare, rather than LEAA. For that reason, I urge defeat of the amendment.

Mr. PEPPER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I want to commend in the strongest way the distinguished chairman of the subcommittee, the gentleman from California (Mr. HAWKINS), and his fellow committee members, as well as the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS), and his committee, for bringing this bill to the floor of the House. I hope it will soon become the law of the land.

I am interested in this bill for two primary reasons. One is because it will save thousands and I hope millions of young Americans from being criminals, and so that they can lead lives of good citizens instead of being miserable, wretched, and failures, their lives may be turned into successful, happy, and meaningful lives.

My second primary interest in this measure is its impact upon the prevention of crime.

I learned as chairman of the House Select Committee on Crime that went all over this country for 4 years that there are two streams of people coming into the population who perpetrate crimes upon their fellow citizens. One of them is a young group coming into the criminal class, and the other is the old criminals coming back out of the criminal institutions where they have been confined, and committing crimes again and again, what we call recidivists.

If we can reduce either one of these streams coming into the criminal population we will have really reduced criminality in this country.

As this bill recognizes, one-half of the serious crimes committed in this country are committed by people under 18 years of age, mostly boys, and most of those are school dropouts. So this bill puts the emphasis in the right place in trying to curb crime in this country.

Not providing more police officers, although that is desirable in many instances, or more places of confinement or more radio stations, or more patrol cars—although those have their proper and necessary places—but the best way to curb crime is to prevent it, and the best way to make a material reduction in the volume of crime is to diminish the number of young people who perpetrate crime in this country. That is what this bill is all about. It prevents it. Paragraph after paragraph emphasizes that this is a bill for the prevention of crime.

Let me just refer to one section of this bill that emphasizes that point. I am reading from page 54 of the bill. One of the objectives of this legislation is:

To assist States and local communities with resources to develop and implement programs to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions.

What is the right and proper agency to do that? LEAA? Law Enforcement Assistance Administration? That is an agency designed to implement the enforcement of the law. That is after the fact, in a large manner.

On the other hand, HEW is concerned with the educational process of this country. They have the schools under their jurisdiction. They provide the means by which we try to provide a better school system for this country. They can correlate the programs that are already enacted under all of the bills such as the Elementary and Secondary Education Act that the committee brought here a little bit ago, three sections of which provide money for stopping school dropouts. HEW can correlate this bill with the Elementary and Secondary Education Act. It can also correlate necessary health services that should be provided to delinquent youths when they are beginning to be derelict.

In other words, they have the facilities. They have the program, they have the know-how to correlate all of the programs that have to do with youth and making youth better citizens, with less participation in crime.

It is said that HEW is not very much interested in this subject, that they have not heretofore done a very good job with the funds and the programs they have had. Last week I called the Secretary of Health, Education, and Welfare, Mr. Caspar Weinberger. I told him what the criticism of his Department was. I asked him whether I could state on the floor of this House that if this bill is enacted and becomes law the Congress could count upon him to see to it that HEW implements this legislation fairly and effectively, and he said "yes." I think, therefore, that is where it should be.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The question was taken; and on a division (demanded by Mr. STEIGER of Wisconsin) there were—ayes 23, noes 24.

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 144, noes 210, not voting 80, as follows:

[Roll No. 359]

AYES—144

Abdnor	Beard	Butler
Alexander	Bowen	Camp
Anderson, Ill.	Bray	Carter
Andrews, N. Dak.	Breaux	Cederberg
Archer	Brotzman	Chamberlain
Ashbrook	Brown, Ohio	Chappell
Bafalis	Broyhill, N.C.	Clancy
Baker	Broyhill, Va.	Clausen, Don H.
Bauman	Buchanan	Clawson, Del
	Burleson, Tex.	
Cleveland	Hunt	Runnels
Cohen	Hutchinson	Ruth
Collier	Ichord	Sandman
Collins, Tex.	Jarman	Satterfield
Conable	Johnson, Pa.	Schneebeli
Conlan	Kemp	Sebelius
Crane	King	Shriver
Daniel, Dan	Lagomarsino	Shuster
Daniel, Robert W., Jr.	Landgrebe	Sikes
	Lent	Skubitz
Davis, S.C.	Lott	Smith, N.Y.
Dellenback	McClory	Snyder
Dennis	McKay	Spence
Devine	Madigan	Stanton, J. William
Downing	Mallary	
Duncan	Martin, N.C.	Stephens
du Pont	Mathis, Ga.	Symms
Edwards, Ala.	Mayne	Talcott
Eshleman	Milford	Taylor, N.C.
Findley	Miller	Thornton
Fisher	Mitchell, N.Y.	Towell, Nev.
Flowers	Moorhead, Calif.	Treen
Flynt		Vander Jagt
Forsythe	Myers	Veysey
Frelinghuysen	Nelsen	Waggonner
Frenzel	Nichols	Walsh
Froehlich	Parris	Wampler
Gettys	Pettis	Ware
Gilman	Pike	Whitehurst
Ginn	Price, Tex.	Whitten
Goldwater	Pritchard	Wiggins
Gross	Quie	Wilson, Bob
Grover	Quillen	Winn
Gubser	Rarick	Wyatt
Hansen, Idaho	Regula	Wydler
Hastings	Rhodes	Young, Alaska
Hillis	Roberts	Young, Fla.
Holt	Robinson, Va.	Young, Ill.
Hosmer	Robison, N.Y.	Zion
Hudnut	Rousselot	

NOES—210

Abzug	Gibbons	Moss
Addabbo	Gonzalez	Murphy, Ill.
Anderson, Calif.	Grasso	Murphy, N.Y.
	Gray	Murtha
Andrews, N.C.	Green, Pa.	Natcher
Annunzio	Gude	Nedzi
Ashley	Guyer	Nix
Aspin	Haley	Obey
Badillo	Hamilton	O'Brien
Barrett	Hammer-schmidt	O'Hara
Bennett		O'Neill
Biaggi	Hanley	Owens
Biester	Harrington	Patman
Bingham	Harsha	Patten
Blatnik	Hawkins	Pepper
Boggs	Hays	Perkins
Boland	Hechler, W. Va.	Peyser
Brademas	Heckler, Mass.	Pickle
Brinkley	Helstoski	Poage
Brooks	Henderson	Podell
Broomfield	Hicks	Preyer
Brown, Mich.	Hinshaw	Price, Ill.
Burgener	Hogan	Railsback
Burke, Fla.	Holtzman	Randall
Burke, Mass.	Howard	Rangel
Burlison, Mo.	Hungate	Rees
Burton, John	Johnson, Calif.	Reuss
Burton, Phillip	Jones, N.C.	Riegle
Casey, Tex.	Jones, Okla.	Rinaldo
Chisholm	Jordan	Rodino
Clark	Karth	Roe
Clay	Kastenmeier	Rogers
Collins, Ill.	Kazen	Roncallo, Wyo.
Conte	Kluczynski	Roncallo, N.Y.
Conyers	Koch	Rooney, Pa.
Corman	Kyros	Rose
Cotter	Latta	Rosenthal
Coughlin	Leggett	Roush
Cronin	Litton	Roy
Danielson	Long, La.	Roybal
Davis, Wis.	Long, Md.	Ruppe
Delaney	Luken	Ryan
Dellums	McCollister	St Germain
Denholm	McCormack	Sarasin
Dent	McDade	Sarbanes
Derwinski	McFall	Schroeder
Donohue	McKinney	Seiberling
Drinan	Mahon	Shipley
Eckhardt	Mann	Slack
Edwards, Calif.	Maraziti	Staggers
Ellberg	Mathias, Calif.	Stanton, James V.
Esch	Matsunaga	
Evans, Colo.	Mazzoli	Stark
Fascell	Melcher	Steed
Flood	Metcalfe	Steele
Foley	Mezvinsky	Steelman
Ford	Michel	Steiger, Wis.
Fountain	Minish	Stokes
Fraser	Mink	Stratton
Frey	Mitchell, Md.	Stubblefield
Fulton	Moakley	Studds
Fuqua	Mollohan	Symington
Gaydos	Morgan	Thompson, N.J.
Giaimo	Mosher	Thomson, Wis.
Tiernan	Whalen	Wolff
Traxler	White	Wright
Udall	Williams	Wylie
Ullman	Wilson, Charles H., Calif.	Yates
Van Deerlin		Yatron
Vander Veen		Young, Ga.
Vanik	Wilson, Charles, Tex.	Young, Tex.
Vigorito		Zablocki

NOT VOTING—80

Adams	Evins, Tenn.	Martin, Nebr.
Arends	Fish	Meeds
Armstrong	Goodling	Mills
Bell	Green, Oreg.	Minshall, Ohio
Bergland	Griffiths	Mizell
Bevill	Gunter	Montgomery
Blackburn	Hanna	Moorhead, Pa.
Bolling	Hanrahan	Passman
Brasco	Hansen, Wash.	Powell, Ohio
Breckinridge	Hébert	Reid
Brown, Calif.	Heinz	Rooney, N.Y.
Burke, Calif.	Holifield	Rostenkowski
Byron	Horton	Scherle
Carey, N.Y.	Huber	Shoup
Carney, Ohio	Johnson, Colo.	Sisk
Cochran	Jones, Ala.	Smith, Iowa
Culver	Jones, Tenn.	Steiger, Ariz.
Daniels, Dominick V.	Ketchum	Stuckey
	Kuykendall	Sullivan
Davis, Ga.	Landrum	Taylor, Mo.
de la Garza	Lehman	Teague
Dickinson	Lujan	Thone
Diggs	McCloskey	Waldie
Dingell	McEwen	Widnall
Dorn	McSpadden	Wyman
Dulski	Macdonald	Young, S.C.
Erlenborn	Madden	Zwach

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENTS OFFERED BY MS. ABZUG

Ms. ABZUG. Mr. Chairman, I offer amendments.

Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The Clerk read as follows:

Amendments offered by Ms. ABZUG: Page 55, line 15, after the words "drug treatment," insert the following: "alcoholism treatment,".

Page 56, line 5, after the words "including drug abuse programs," insert the following: "alcohol abuse programs,".

Page 72, lines 17 and 18, after the words "drug abuse education and prevention programs," insert the following: "alcohol abuse education and prevention programs,".

Ms. ABZUG. Mr. Chairman, the purpose of these amendments is to conform essentially with the drug abuse bill which we passed in this House and which is pending right now, in which we added the word "alcohol" to "drug abuse" throughout that bill.

Mr. Chairman, this bill is a very good and necessary piece of legislation, and the amendment I am offering would round out the services provided. This legislation properly places the emphasis on prevention of juvenile delinquency and makes special note of work to be done in areas of concern such as the development of halfway houses, parental counseling, youth service bureaus, and training programs for professionals and lay people. In areas of special concern, the committee has noted the need for drug abuse programs and I, of course, heartily endorse such programs. But there is an even more pressing need to emphasize alcohol abuse programs.

Government authorities estimate that there are 450,000 children and teenagers in the United States who are actually

alcoholics. According to the National Commission on Marihuana and Drug Abuse, the Shafer report, alcohol is by far "the drug of choice for our Nation's students." In 1972 between 50 and 83 percent of American students used alcohol more than occasionally. According to the Commission's report, 24 percent of the 12- to 17-year age group have consumed alcoholic beverages within the past week. That is one-quarter of our Nation's youth drinking at least once a week.

The increase in alcohol consumption and potential for abuse has been startling over the past few years. The use of alcohol by junior high school aged adolescents is up 14 percent in 1972 from 1969. Among high school aged youth, the increase in alcohol use went from 62 percent in 1969 to 74 percent in 1972—an increase of 12 percent in just 3 years.

It is time we recognized this grave problem of alcohol abuse by juveniles.

Although alcohol is technically classified as a drug, it needs to be separated and specifically dealt with in this legislation. While 20 percent of our present adult population tried alcohol at age 10 or younger, 40 percent, or twice that proportion, of our young people have reported consuming alcohol prior to their 11th year. Moreover, many of these youth did not consider alcohol to be a drug, according to the Commission's report. Therefore, I think this amendment is vital to insure the necessary education and prevention for total care of our youth and our society.

Survey data further show that the use of alcohol does not always occur by itself. A very large portion of the drinking population, particularly young people, use alcohol in combination with pills or marihuana, thereby making alcohol a very dangerous and serious potential juvenile problem.

All drugs are associated with crime, delinquency, and recklessness. The relationship between the use of alcohol and the commission of violent crime is especially high. Studies cited by the Shafer Commission show that alcohol was used by one-half of offenders immediately before the commission of their crimes. It has been shown that youth who used alcohol were responsible for significantly more crimes of assault than their nondrinking counterparts. The cost to society of alcohol use among our young people is very high—higher, according to the Commission, than for any other drug problem we have.

In offering a solution to the drug and alcohol abuse problem in this country, the Commission's main objective was to design a unified program that would consolidate alcohol study and prevention with other drugs. There is one critical prerequisite to solving the bureaucratic puzzle, said the Commission's report, and that is a central organization of decision and direction. And by offering this amendment, that is precisely what I am trying to achieve. This amendment makes it clear that both drug and alcohol abuse prevention and rehabilitation must be undertaken in this legislation.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. Certainly, I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate the gentlewoman's yielding. I think the item is a good one, and on this side we will accept that.

Mr. HAWKINS. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. I yield to the gentleman from California.

Mr. HAWKINS. Mr. Chairman, I agree with the gentleman from Wisconsin. We believe this was an oversight and it should have been in the original bill.

The CHAIRMAN. The question is on the amendments offered by the gentlewoman from New York (Ms. ABZUG).

The question was taken; and on a division (demanded by Ms. ABZUG) there were—ayes 87, noes 5.

So the amendments were agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—JUVENILE DELINQUENCY PREVENTION ADMINISTRATION

ESTABLISHMENT OF ADMINISTRATION

SEC. 101. (a) There hereby is established within the Department of Health, Education, and Welfare the Juvenile Delinquency Prevention Administration.

(b) There shall be at the head of the Administration a Director who shall be appointed by the Secretary. The salary of the Director shall be fixed by the Secretary.

(c) The Director shall be the chief executive of the Administration and shall exercise all necessary powers.

(d) There shall be in the Administration a Deputy Director who shall be appointed by the Secretary. The Salary of the Deputy Director shall be fixed by the Secretary. The Deputy Director shall perform such functions as the Director from time to time assigns or delegates, and shall act as Director during the absence or disability of the Director or in the event of a vacancy in the office of the Director.

OFFICERS AND EMPLOYEES

SEC. 102. The Secretary may select, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions vested in him and to prescribe their functions.

VOLUNTARY SERVICES

SEC. 103. Notwithstanding the provisions of section 3679 (b) of the Revised Statutes (31 U.S.C. 665(b)), the Secretary may accept and employ voluntary and uncompensated services in carrying out the provisions of this Act.

CONCENTRATION OF FEDERAL EFFORTS

SEC. 104. (a) The Secretary shall establish overall policy and develop objectives and priorities for all Federal juvenile delinquency programs and activities relating to prevention, diversions, training, treatment, rehabilitation, evaluation, research, and improvement of the juvenile justice system in the United States. In carrying out his functions, the Secretary shall consult with the Coordinating Council on Juvenile Delinquency Prevention.

(b) In carrying out the purposes of this Act, the Secretary shall—

(1) advise the President as to all matters relating to federally assisted juvenile delinquency programs and Federal policies regarding juvenile delinquency;

(2) assist operating agencies which have direct responsibilities for the prevention and treatment of juvenile delinquency in the development and promulgation of rules, guidelines, requirements, criteria, standards, procedures, and budget requests in accordance with the policies, priorities, and objectives he establishes;

(3) conduct and support, in cooperation with the Institute for Continuing Studies of the Prevention of Juvenile Delinquency, evaluations and studies of the performance and results achieved by Federal juvenile delinquency programs and activities and of the prospective performance and results that might be achieved by alternative programs and activities supplementary to or in lieu of those currently being administered;

(4) coordinate Federal juvenile delinquency programs and activities among Federal agencies and between Federal juvenile delinquency programs and activities and other Federal programs and activities which he determines may have an important bearing on the success of the entire Federal juvenile delinquency effort;

(5) develop annually, submit to the Council for review and thereafter submit to the President and the Congress, no later than September 30, a report which shall include an analysis and evaluation of Federal juvenile delinquency programs conducted and assisted by Federal agencies, the expenditures made, the results achieved, the plans developed, and problems in the operations and coordination of such programs, and recommendations for modifications in organization, management, personnel, standards, budget requests, and implementation plans necessary to increase the effectiveness of such programs;

(6) develop annually, submit to the Council for review, and thereafter submit to the President and the Congress, no later than March 1, a comprehensive plan for juvenile delinquency programs administered by any Federal agency, with particular emphasis on the prevention of juvenile delinquency and the development of programs and services which will encourage increased diversion of juveniles from the traditional juvenile justice system; and

(7) provide technical assistance to Federal, State, and local governments, courts, public and private agencies, institutions, and individuals, in the planning, establishment, funding, operation, or evaluation of juvenile delinquency programs.

(c) The President shall, no later than 90 days after receiving each annual report under subsection (b)(5), submit a report to the Congress and to the Council containing a detailed statement of any action taken or anticipated with respect to recommendations made by each such annual report.

(d)(1) The first report submitted to the President and the Congress by the Secretary under subsection (b)(5) shall contain, in addition to information required by subsection (b)(5), a detailed statement of criteria developed by the Secretary for indentifying the characteristics of juvenile delinquency, juvenile delinquency prevention, diversion of youths from the juvenile justice system, and the training, treatment, and rehabilitation of juvenile delinquents.

(2) The second such report shall contain, in addition to information required by subsection (b)(5), an identification of Federal programs which are related to juvenile delinquency prevention or treatment, together with a statement of the moneys expended for each such program during the most recent complete fiscal year. Such identification shall be made by the Secretary through the use of criteria developed under paragraph (1).

(e) The third report submitted to the President and the Congress by the Secretary under subsection (b)(6) shall contain, in addition to the comprehensive plan required by subsection (b)(6), a detailed statement of procedures to be used with respect to the submission of juvenile delinquency development statements to the Secretary by Federal agencies under section 105. Such statement submitted by the Secretary shall include a description of information, data, and analyses

which shall be contained in each such development statement.

(f) The Secretary may require Federal agencies engaged in any activity involving any Federal juvenile delinquency program to provide him with such information and reports, and to conduct such studies and surveys, as he may deem to be necessary to carry out the purposes of this Act.

(g) The Secretary may delegate any of his functions under this title, except the making of rules, to any officer or employee of the Administration.

(h) The Secretary may utilize the services and facilities of any Federal agency and of any other public agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement as may be agreed upon.

(i) The Secretary may transfer funds appropriated under this Act to any Federal agency to develop or demonstrate new methods in juvenile delinquency prevention and treatment and to supplement existing delinquency prevention and treatment programs which the Director finds to be exceptionally effecitve or for which he finds there exists exceptional need.

(j) The Secretary may make grants to, or enter into contracts with, any public or private agency, institution, or individual to carry out the purposes of this Act.

(k) All functions of the Secretary under this Act shall be administered through the Administration.

JUVENILE DELINQUENCY DEVELOPMENT STATEMENTS

SEC. 105. (a) The Secretary shall require each Federal agency which administers a Federal juvenile delinquency program which meets any criterion developed by the Secretary under section 104(d)(1) to submit to the Secretary a juvenile delinquency development statement. Such statement shall be in addition to any information, report, study, or survey which the Secretary may require under section 104(f).

(b) Each juvenile delinquency development statement submitted to the Secretary under subsection (a) shall be submitted in accordance with procedures established by the Secretary under section 104(e) and shall contain such information, data, and analyses as the Secretary may require under section 104(e). Such analyses shall include an analysis of the extent to which the juvenile delinquency program of the Federal agency submitting such development statement conforms with and furthers Federal juvenile delinquency prevention and treatment goals and policies.

(c) The Secretary shall review and comment upon each juvenile delinquency development statement transmitted to him under subsection (a). Such development statement, together with the comments of the Secretary, shall be included by the Federal agency involved in every recommendation or request made by such agency for Federal legislation which significantly affects juvenile delinquency prevention and treatment.

JOINT FUNDING

SEC. 106. Notwithstanding any other provision of law, where funds are made available by more than one Federal agency to be used by any agency, organization, institution, or individual to carry out a Federal juvenile delinquency program or activity, any one of the Federal agencies providing funds may be designated by the Secretary to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and the Secretary may order any such agency to waive any technical grant or contract requirement (as defined in rules prescribed by the Secretary) which is inconsistent with the similar requirement of the administering agency or which the administering agency does not impose.

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

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS

PART A—GRANT PROGRAMS

AUTHORIZATION

SEC. 211. The Secretary may make grants to States and local governments to assist them in planning, establishing, operating, coordinating, and evaluating projects directly or through contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system.

ALLOCATION

SEC. 212. (a) In accordance with rules prescribed under this title, funds shall be allocated annually among the States on the basis of relative population of people under 18 years of age. No such allotment to any State shall be less than $150,000, except that for the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, no allotment shall be less than $50,000.

(b) Except for funds appropriated for fiscal year 1975, if any amount so allotted remains unobligated at the end of the fiscal year, such funds shall be reallocated in a manner equitable and consistent with the purposes of this title. Funds appropriated for fiscal year 1975 may be obligated in accordance with subsection (a) until June 30, 1976, after which time they may be reallocated. Any amount so reallocated shall be in addition to the amounts already allotted and available to the States, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands for the same period.

(c) In accordance with rules prescribed under this title, a portion of any allotment to any State under this part shall be available to develop a State plan and to pay that portion of the expenditures which are necessary for efficient administration. Not more than 15 percent of the total annual allotment of such State shall be available for such purposes. The State shall make available needed funds for planning and administration to local governments within the State on an equitable basis.

(d) Financial assistance extended under the provisions of this section shall not exceed 90 percent of the approved costs of any assisted programs or activities. The non-Federal share shall be made only through the use of cash or other monetary instruments.

SPECIAL EMPHASIS PREVENTION AND TREATMENT PROGRAMS; AUTHORIZATION

SEC. 213. (a) Not less than 25 percent of the funds appropriated for each fiscal year pursuant to this title shall be available only for special emphasis prevention and treatment grants and contracts made pursuant to this section and section 215.

(b) Among applicants for grants and contracts under this section, priority shall be given to public and private nonprofit organizations or institutions which have had experience in dealing with youth. Not less than 20 percent of the funds available for grants and contracts made pursuant to this section shall be available for grants and contracts to such private nonprofit agencies, organizations, or institutions.

(c) The Secretary may make grants to and enter into contracts with public and private agencies, organizations, institutions, or individuals to—

(1) develop and implement new approaches, techniques, and methods with respect to juvenile delinquency programs;

(2) develop and maintain community-based alternatives to traditional forms of institutionalization;

(3) develop and implement programs to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions;

(4) develop and implement effective means of diverting juveniles from the traditional juvenile justice and correctional system;

(5) improve the capability of public and private agencies and organizations to provide services for delinquents and youths in danger of becoming delinquent; and

(6) facilitate the adoption of the recommendations of the Institute as set forth pursuant to section 309.

STATE PLANS

SEC. 214. (a) In order to receive formula grants under this part, a State shall submit a plan for carrying out its purposes. In accordance with rules prescribed under this title, such plan shall—

(1) establish or designate a single State agency, or designate any other agency, as the sole agency responsible for the preparation and administration of the plan;

(2) contain satisfactory evidence that the State agency has or will have authority, by legislation if necessary, to implement such plan in conformity with this part;

(3) provide for supervision of the programs funded under this Act by the State agency by a State supervisory board appointed by the chief executive officer of the State (A) which shall consist of not less than 15 persons who have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice; (B) which shall include representation of units of local government, law enforcement and juvenile justice agencies such as law enforcement, correction or probation personnel, and juvenile or family court judges, and public agencies concerned with delinquency prevention or treatment such as welfare, social services, mental health, education, youth service departments, or alternative youth systems; (C) which shall include representatives of private organizations concerned with neglected or dependent children; concerned with the quality of juvenile justice education, or social services for children; which utilize volunteers to work with delinquents or potential delinquents; community-based delinquency prevention or treatment programs; and organizations which represent employees affected by this Act; (D) a majority of whose members (including the Chairman) shall not be full-time employees of the Federal Government, the State, or any local government; (E) at least one-third of whose members shall be under the age of 26 at the time of appointment and of whom at least two shall have been under the jurisdiction of the justice system; and (F) which shall have the authority to approve, after consultation with private agencies and alternative youth systems, any proposed modification of a State plan before such proposed modification is submitted to the Secretary;

(4) provide for the active consultation with and participation of local governments in the development of a State plan which adequately takes into account the needs and requests of local governments;

(5) provide that at least 75 percent of the funds received by the State under section 212 shall be expended through programs of local government insofar as they are consistent with the State plan, except that this provision may be waived at the discretion of the Secretary for any State if the services for

delinquent or potentially delinquent youth are organized primarily on a statewide basis;

(6) provide that the chief executive officer of the local government shall assign responsibility for the preparation and administration of the local government's part of the State plan, or for the supervision of the preparation and administration of the local government's part of the State plan, to that agency within the local government's structure which can most effectively carry out the purposes of this Act and shall provide for supervision of the programs funded under this Act by the local agency by a board which meets the appropriate requirements of paragraph (3);

(7) provide, to the maximum extent feasible, for an equitable distribution of the assistance received under section 212 within the State;

(8) set forth a detailed study of the State needs for an effective, comprehensive, coordinated approach to juvenile delinquency prevention and treatment and the improvement of the juvenile justice system, including an itemized estimated cost for the development and implementation of such programs;

(9) provide that not less than 75 percent of the funds available to such State or to any local government of such State under this part, whether expended directly by the State or by the local government or through contracts with public or private agencies, shall be used for advanced techniques in conjunction with the development, maintenance, and expansion of programs and services designed to prevent juvenile delinquency, to divert juveniles from the juvenile justice system, and to provide community-based alternatives to juvenile detention and correctional facilities; such advanced techniques shall include community-based programs and services relating to various aspects of juvenile delinquency, youth service bureaus to assist delinquent and other youth, drug abuse education and prevention programs, programs to encourage youth to remain in school, improvement of probation programs and services, statewide programs designed to increase the use of nonsecure community-based facilities for the commitment of juveniles, and youth-initiated programs and outreach programs designed to assist youth who otherwise would not be reached by assistance programs;

(10) encourage the development of an adequate research, training, and evaluation capacity within the State;

(11) encourage the placement of juveniles in shelter facilities, rather than juvenile detention or correctional facilities, if such juveniles are charged with or have committed offenses which would not be criminal if committed by an adult; discourage the incarceration of juveniles with adults; and encourage the establishment of monitoring systems designed to augment the commitment policies described in this paragraph;

(12) provide assurances that assistance will be available on an equitable basis to deal with all disadvantaged youth, including females, minority youth, and mentally, emotionally, or physically handicapped youth;

(13) provide for procedures which will be established for protecting under Federal, State, and local law the rights of recipients of services and which will assure appropriate privacy with regard to records relating to such services provided to any individuals under the State plan;

(14) provide for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title;

(15) provide reasonable assurance that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant), to the extent feasible and practical, the level of State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, and other non-Federal funds;

(16) provide that the State agency will from time to time, but not less often than annually, review its plan and submit to the Secretary an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, which it considers necessary; and

(17) contain such other terms and conditions as the Secretary may reasonably prescribe to assure the effectiveness of the programs assisted under this title.

(b) The Secretary shall approve any State plan and any modification thereof that meets the requirements of subsection (a).

(c) In the event that any State fails to submit a plan, or submits a plan, or any modification thereof which the Secretary, after reasonable notice and opportunity for hearing, determines does not meet the requirements of subsection (a), the Secretary shall make the allotment of such State under the provisions of section 212 available to the public and private agencies in such State for programs under sections 213 and 215.

APPLICATIONS

SEC. 215. (a) Any agency, institution, or individual desiring to receive a grant, or enter into any contract under this section or section 213, shall submit an application at such time, in such manner, and containing or accompanied by such information, as the Secretary may prescribe.

(b) In accordance with guidelines established by the Secretary, each such application shall—

(1) provide that the program for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) set forth a program for carrying out one or more of the purposes set forth in section 214;

(3) provide for the proper and efficient administration of such program;

(4) provide for regular evaluation of the program;

(5) indicate that the applicant has requested the review of the application from the State agency or local agency designated under section 214, when appropriate;

(6) indicate the response of the State agency or the local agency to the request for review and comment on the application;

(7) provide that regular reports on the program shall be sent to the Secretary and to the State agency and local agency, when appropriate; and

(8) provide for such fiscal control and fund accounting procedures as may be necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title.

(c) In determining whether or not to approve applications for grants under this title, the Secretary shall consider—

(1) the relative cost and effectiveness of the proposed program in effectuating the purposes of this Act;

(2) the extent to which the proposed program will incorporate new or innovative techniques;

(3) to extent to which the proposed program meets the objectives and priorities of the State plan, when a State plan has been approved by the Secretary under section 214(b) and when the location and scope of the program make such consideration appropriate;

(4) the increase in capacity of the public and private agency, institution, or individual to provide services to delinquents or youths in danger of becoming delinquent;

(5) the extent to which the proposed project serves communities which have high rates of youth unemployment, school dropout, and delinquency; and

(6) the extent to which the proposed programs facilitates the implementation of the recommendations of the Institute as set forth pursuant to section 309.

PART B—GENERAL PROVISIONS

WITHHOLDING

SEC. 221. Whenever the Secretary, after giving reasonable notice and opportunity for hearing to a recipient of a grant under this title, finds—

(1) that the program or activity for which such grant was made has been so changed that it no longer complies with the provisions of this title, or

(2) that in the operation of the program or activity there is failure to comply substantially with any such provision,

the Secretary shall notify such recipient of his findings and no further payments may be made to such recipient under this title (or in his discretion that the State agency shall not make further payments to specified programs affected by the failure) by the Secretary until he is satisfied that such noncompliance has been, or will promptly be, corrected.

USE OF FUNDS

SEC. 222. (a) Funds paid to any State public or private agency, institution, or individual (whether directly or through a State agency or local agency) may be used for—

(1) securing, developing, or operating the program designed to carry out the purposes of this Act; and

(2) not more than 50 percent of the cost of the construction of innovative community-based facilities for less than 20 persons which, in the judgment of the Secretary, are necessary for carrying out the purposes of this Act.

(b) Except as provided by subsection (a), no funds paid to any public or private agency, institution, or individual under this title (whether directly or through a State agency or local agency) may be used for construction.

PAYMENTS

SEC. 223. (a) In accordance with criteria established by the Secretary, it is the policy of the Congress that programs funded under this title shall continue to receive financial assistance, except that such assistance shall not continue if the yearly evaluation of such programs is not satisfactory.

(b) At the discretion of the Secretary, when there is no other way to fund an essential juvenile delinquency program, the State may utilize 25 percent of the funds available to it under this Act to meet the non-Federal matching share requirement for any other Federal juvenile delinquency program grant.

(c) Whenever the Secretary determines that it will contribute to the purposes of this Act, he may require the recipient of any grant or contract to contribute money, facilities, or services up to 25 percent of the cost of the project involved.

(d) Payments under this title, pursuant to a grant or contract, may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursements, in such installments and on such conditions as the Secretary may determine.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: Page 74, line 16, strike out "and".

Page 74, line 19, srtike out the period and insert in lieu thereof "; and".

Page 74, immediately after line 19, insert the following new paragraph:

(18) provide that fair and equitable arrangements are made to protect the interests of employees affected by assistance under this Act.

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer a technical and clarifying amendment to the bill which I have discussed with the chairman of the subcommittee (Mr. HAWKINS). He agrees with me that there is a need to clarify that this bill is in no way designed to jeopardize the rights and privileges of State and local employees who might be displaced as States move to set up new institutional structures to replace existing correctional institutions.

This amendment is merely designed to insure that if States move in new directions that fair and equitable arrangements are made which protect the interests of employees who are specifically affected by activities assisted through this act.

THE CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III—INSTITUTE FOR CONTINUING STUDIES OF THE PREVENTION OF JUVENILE DELINQUENCY

ESTABLISHMENT AND PURPOSE

SEC. 301. (a) There is hereby established an institute to be known as the Institute for Continuing Studies of the Prevention of Juvenile Delinquency. The Institute shall be administered by the Secretary through the Administration.

(b) It shall be the purpose of the Institute to provide a coordinating center for the collection, preparation, and dissemination of useful data regarding the treatment and control of juvenile offenders, and it shall also be the purpose of the Institute to provide training for representatives of Federal, State, and local law enforcement officers, teachers and other educational personnel, juvenile welfare workers, juvenile judges and judicial personnel, probation personnel, correctional personnel, and other persons, including lay personnel, connected with the treatment and control of juvenile offenders.

FUNCTIONS

SEC. 302. The Institute shall—

(1) serve as an information bank by collecting systematically and synthesizing the data and knowledge obtained from studies and research by public and private agencies, institutions, or individuals concerning all aspects of juvenile delinquency, including the prevention and treatment of juvenile delinquency;

(2) serve as a clearinghouse and information center for the preparation, publication, and dissemination of all information regarding juvenile delinquency, including State and local juvenile delinquency prevention and treatment programs and plans, availability of resources, training and educational programs, statistics, and other pertinent data and information;

(3) disseminate pertinent data and studies (including a periodic journal) to individuals, agencies, and organizations concerned with the prevention and treatment of juvenile delinquency;

(4) prepare, in cooperation with educational institutions, Federal, State, and local agencies, and appropriate individuals and private agencies, such studies as it considers to be necessary with respect to the prevention and treatment of juvenile delinquency and related matters, including recommendations designed to promote effective prevention and treatment;

(5) devise and conduct in various geographical locations, seminars and workshops providing continuing studies for persons engaged in working directly with juveniles and juvenile offenders;

(6) devise and conduct a training program, in accordance with the provisions of section 305, 306, and 307, of short-term instruction in the latest proven-effective methods of prevention, control, and treatment of juvenile delinquency for correctional and law enforcement personnel, teachers and other educational personnel, juvenile welfare workers, juvenile judges and judicial personnel, probation officers, and other persons (including lay personnel) connected with the prevention and treatment of juvenile delinquency;

(7) develop technical training teams to aid in the development of training programs in the States and to assist State and local agencies which work directly with juveniles and juvenile offenders;

(8) conduct, encourage, and coordinate research and evaluation into any aspect of juvenile delinquency, particularly with respect to new programs and methods which show promise of making a contribution toward the prevention and treatment of juvenile delinquency;

(9) encourage the development of demonstration projects in new and innovative techniques and methods to prevent and treat juvenile delinquency;

(10) provide for the evaluation of all programs assisted under this Act in order to determine the results and the effectiveness of such programs;

(11) provide for the evaluation of any other Federal, State, or local juvenile delinquency program, as deemed necessary by the Secretary; and

(12) disseminate the results of such evaluations and research and demonstration activities, particularly to persons actively working in the field of juvenile delinquency.

POWERS

SEC. 303. (a) The functions, powers, and duties specified in this Act to be carried out by the Institute shall not be transferred elsewhere or within any Federal agency unless specifically hereafter authorized by the Congress. In addition to the other powers, express and implied, the Institute may—

(1) request any Federal agency to supply such statistics, data, program reports, and other material as the Institute deems necessary to carry out its functions;

(2) arrange with and reimburse the heads of Federal agencies for the use of personnel or facilities or equipment of such agencies;

(3) confer with and avail itself of the cooperation, services, records, and facilities of State, municipal, or other public or private local agencies;

(4) enter into contracts with public or private agencies, organizations, or individuals, for the partial performance of any of the functions of the Institute; and

(5) compensate consultants and members of technical advisory councils who are not in the regular full-time employ of the United States, at a rate to be fixed by the Administrator of the Institute but not exceeding $75 per diem and while away from home, or regular place of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code for persons in the Government service employed intermittently.

(b) Any Federal agency which receives a request from the Institute under subsection (a)(1) may cooperate with the Institute and shall, to the maximum extent practicable, consult with and furnish information and advice to the Institute.

ADMINISTRATOR AND STAFF

SEC. 304. (a) The Institute shall have an Administrator who shall be appointed by the Secretary and who shall serve at the pleasure of the Secretary.

(b) The Administrator shall have responsibility for the administration of the organization, employees, enrollees, financial affairs, and other operations of the Institute. He may employ such staff, faculty, and administrative personnel as are necessary for the functioning of the Institute.

(c) The Administrator shall have the power to—

(1) acquire and hold real and personal property for the Institute;

(2) receive gifts, donations, and trusts on behalf of the Institute; and

(3) appoint such technical or other advisory councils comprised of consultants to guide and advise the Secretary.

(d) The Administrator may delegate his powers under this Act to such employees of the Institute as he deems appropriate.

ESTABLISHMENT OF TRAINING PROGRAM

SEC. 305. (a) The Secretary shall establish within the Institute a training program designed to train enrollees with respect to methods and techniques for the prevention and treatment of juvenile delinquency.

(b) Enrollees in the training program established under this section shall be drawn from correctional and law enforcement personnel, teachers and other educational personnel, juvenile welfare workers, juvenile judges and judicial personnel, probation officers, and other persons (including lay personnel) connected with the prevention and treatment of juvenile delinquency.

CURRICULUM FOR TRAINING PROGRAM

SEC. 306. The Secretary shall design and supervise a curriculum for the training program established by section 305 which shall utilize an interdisciplinary approach with respect to the prevention of juvenile delinquency, the treatment of juvenile delinquents, and the diversion of youths from the juvenile justice system. Such curriculum shall be appropriate to the needs of the enrollees of the training program.

ENROLLMENT FOR TRAINING PROGRAM

SEC. 307. (a) Any person seeking to enroll in the training program established under section 305 shall transmit an application to the Administrator, in such form and according to such procedures as the Administrator may prescribe.

(b) The Administrator shall make the final determination with respect to the admittance of any person to the training program. The Administrator, in making such determination, shall seek to assure that persons admitted to the training program are broadly representative of the categories described in section 305(b).

(c) While studying at the Institute and while traveling in connection with his study (including authorized field trips), each person enrolled in the Institute shall be allowed travel expenses and a per diem allowance in the same manner as prescribed for persons employed intermittently in the Government service under section 5703(b) of title 5, United States Code.

ANNUAL REPORT

SEC. 308. The Administrator shall develop annually and submit to the President and each House of Congress, prior to June 30, a report on the activities of the Institute and on research, demonstration, training, and evaluation programs funded under this title, including a review of the results of such programs, an assessment of the application of such results to existing and new juvenile delinquency programs, and detailed recommendations for future research, demonstration, training, and evaluation programs.

DEVELOPMENT OF STANDARDS FOR JUVENILE JUSTICE

SEC. 309. The Institute, under the supervision of the Secretary, shall conduct a study for the development of standards for juvenile justice. The Institute shall, no later than one year after the date of the enactment of this Act, submit to the President and to each House of the Congress a report based upon such study. Such report shall contain a detailed statement of recommended standards for the administration of juvenile justice at the Federal, State, and local level, and shall recommend—

(1) Federal action, including administrative budgetary, and legislative action, required to facilitate the adoption of such standards throughout the United States; and

(2) State and local action to facilitate the adoption of such standards for juvenile justice at the State and local level.

INFORMATION FROM FEDERAL AGENCIES

SEC. 310. Each Federal agency shall furnish to the Secretary such information as the Secretary deems necessary to carry out his functions under this title.

RECORDS

SEC. 311. Records containing the identity of any juvenile gathered for purposes pursuant to this title may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

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

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV—RUNAWAY YOUTH ACT

SHORT TITLE

SEC. 401. This title may be cited as the "Runaway Youth Act".

FINDINGS

SEC. 402. The Congress hereby finds that—

(1) the number of juveniles who leave and remain away from home without parental permission has increased to alarming proportions, creating a substantial law enforcement problem for the communities inundated, and significantly endangering the young people who are without resources and live on the street;

(2) the exact nature of the problem is not well defined because national statistics on the size and profile of the runaway youth population are not tabulated;

(3) many such young people, because of their age and situation, are urgently in need of temporary shelter and counseling services;

(4) the problem of locating, detaining, and returning runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities; and

(5) in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop accurate reporting of the problem nationally and to develop an effective system of temporary care outside the law enforcement structure.

RULES

SEC. 403. The Secretary may prescribe such rules as he considers necessary or appropriate to carry out the purposes of this title.

PART A—GRANT PROGRAM

PURPOSES OF GRANT PROGRAM

SEC. 411. The Secretary is authorized to make grants and to provide technical assistance to localities and nonprofit private agencies in accordance with the provisions of this part. Grants under this part shall be made for the purpose of developing local facilities to deal primarily with the immediate needs of runaway youth in a manner which is outside the law enforcement structure and juvenile justice system. The size of such grant shall be determined by the number of runaway youth in the community and the existing availability of services. Among applicants priority shall be given to private organizations or institutions which have had past experience in dealing with runaway youth.

ELIGIBILITY

SEC. 412. (a) To be eligible for assistance under this part, an applicant shall propose to establish, strengthen, or fund an existing or proposed runaway house, a locally controlled facility providing temporary shelter, and counseling services to juveniles who have left home without the permission of their parents or guardians.

(b) In order to qualify for assistance under this part, an applicant shall submit a plan to the Secretary meeting the following requirements and including the following information. Each house—

(1) shall be located in an area which is demonstrably frequented by or easily reachable by runaway youth;

(2) shall have a maximum capacity of no more than 20 children, with a ratio of staff to children of sufficient proportion to assure adequate supervision and treatment;

(3) shall develop adequate plans for contacting the child's parents or relatives (if such action is required by State law) and assuring the safe return of the child according to the best interests of the child, for contacting local government officials pursuant to informal arrangements established with such officials by the runaway house, and for providing for other appropriate alternative living arrangements;

(4) shall develop an adequate plan for assuring proper relations with law enforcement personnel, and the return of runaway youths from correctional institutions;

(5) shall develop an adequate plan for aftercare counseling involving runaway youth and their parents within the State in which the runaway house is located and for assuring, as possible, that aftercare services will be provided to those children who are returned beyond the State in which the runaway house is located;

(6) shall keep adequate statistical records profiling the children and parents which it serves, except that records maintained on individual runaway youths shall not be disclosed without parental consent to anyone other than another agency compiling statistical records or a government agency involved in the disposition of criminal charges against an individual runaway youth, and reports or other documents based on such statistical records shall not disclose the identity of individual runaway youths;

(7) shall submit annual reports to the Secretary detailing how the house has been able to meet the goals of its plans and reporting the statistical summaries required by paragraph (6);

(8) shall demonstrate its ability to operate under accounting procedures and fiscal control devices as required by the Secretary;

(9) shall submit a budget estimate with respect to the plan submitted by such house under this subsection; and

(10) shall supply such other information as the Secretary reasonably deems necessary.

APPROVAL BY SECRETARY

SEC. 413. An application by a State, locality, or nonprofit private agency for a grant under this part may be approved by the Secretary only if it is consistent with the applicable provisions of this part and meets the requirements set forth in section 412. Priority shall be given to grants smaller than $75,000. In considering grant applications under this part, priority shall be given to any applicant whose program budget is smaller than $100,000.

GRANTS TO PRIVATE AGENCIES; STAFFING

SEC. 414. Nothing in this part shall be construed to deny grants to nonprofit private agencies which are fully controlled by private boards or persons but which in other respects meet the requirements of this part and agree to be legally responsible for the operation of the runaway house. Nothing in this part shall give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds.

REPORTS

SEC. 415. The Secretary shall annually report to the Congress on the status and accomplishments of the runaway houses which are funded under this part, with particular attention to—

(1) their effectiveness in alleviating the problems of runaway youth;

(2) their ability to reunite children with their families and to encourage the resolution of intrafamily problems through counseling and other services;

(3) their effectiveness in strengthening family relationships and encouraging stable living conditions for children; and

(4) their effectiveness in helping youth decide upon a future course of action.

FEDERAL SHARE

SEC. 416. (a) The Federal share for the acquisition and renovation of existing structures, the provision of counseling services, staff training, and the general costs of operations of such facility's budget for any fiscal year shall be 90 percent. The non-Federal share may be in cash or in kind, fairly evaluated by the Secretary, including plant, equipment, or services.

(b) Payments under this section may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

PART B—STATISTICAL SURVEY

SURVEY; REPORT

SEC. 421. The Secretary shall gather information and carry out a comprehensive statistical survey defining the major characteristics of the runaway youth population and determining the areas of the Nation most affected. Such survey shall include the age, sex, and socioeconomic background of runaway youth, the places from which and to which children run, and the relationship between running away and other illegal behavior. The Secretary shall report the results of such information gathering and survey to the Congress not later than June 30, 1975.

RECORDS

SEC. 422. Records containing the identity of individual runaway youths gathered for statistical purposes pursuant to section 421 may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

TITLE V—COORDINATING COUNCIL ON JUVENILE DELINQUENCY PREVENTION

ESTABLISHMENT

SEC. 501. There is hereby established, as an independent organization in the executive branch of the Federal Government, a council to be known as the Coordinating Council on Juvenile Delinquency Prevention.

MEMBERSHIP

SEC. 502. (a) The Council shall consist of six regular members appointed under subsection (c) and an additional number of ex officio members designated by subsection (b).

(b)(1) The following individuals shall be ex officio members of the Council:

(A) the Secretary (or the Under Secretary of the Department of Health, Education,

and Welfare, if so designated by the Secretary);

(B) the Director of the Administration;

(C) the Attorney General or his designee;

(D) the Secretary of Labor (or the Under Secretary of Labor, if so designated by such Secretary);

(E) the Director of the Special Action Office for Drug Abuse Prevention or his designee;

(F) the Secretary of Housing and Urban Development (or the Under Secretary of Housing and Urban Development, if so designated by such Secretary); and

(G) the Administrator of the Institute.

(2) Any individual designated under paragraph (1)(C) or paragraph (1)(E) shall be selected from individuals who exercise significant decisionmaking authority in the Federal agency involved.

(c) The regular members of the Council shall be appointed by the President from persons who by virtue of their training or experience have special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice. At least three members shall not have attained 26 years of age on the date of their appointment.

(d)(1) Except as provided by paragraphs (2) and (3), members of the Council appointed by the President under subsection (c) shall be appointed for terms of four years.

(2) Of the members first appointed to the Council under subsection (c)—

(A) two shall be appointed for terms of one year,

(B) two shall be appointed for terms of two years, and

(C) two shall be appointed for terms of three years, as designated by the President at the time of appointment. Such members shall be appointed within ninety days after the date of the enactment of this title.

(3) Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until a successor has taken office.

(e) Members of the Council shall be eligible for reappointment to the Council.

(f) The Secretary shall serve as Chairman of the Council. The Director shall serve as Vice Chairman of the Council. The Vice Chairman shall act as Chairman in the absence of the Chairman.

(g) The Council shall meet at least six times per year to receive reports and recommendations and to take such actions as may be considered appropriate by members of the Council. A description of the activities of the Council shall be included in the annual report required by section 104(b)(5).

FUNCTION

SEC. 503. (a) The Council shall make recommendations to the Secretary at least annually with respect to coordination of the planning, policy, priorities, operations, and management of all Federal juvenile delinquency programs.

(b) The Council shall, through a subcommittee designated by the Chairman, review the activities and administration of the Institute and shall make recommendations with respect to such activities and administration.

EXECUTIVE SECRETARY; STAFF

SEC. 504. (a) The Chairman shall, with the approval of the Council, appoint an Executive Secretary of the Council.

(b) The Executive Secretary shall be responsible for the day-to-day administration of the Council.

(c) The Executive Secretary may, with the approval of the Council, appoint and fix the salary of such personnel as he considers necessary to carry out the purposes of this title.

COMPENSATION AND EXPENSES

SEC. 505. (a) Members of the Council who are full-time employees of the Federal Government shall serve without compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the functions of the Council.

(b) Members of the Council who are not full-time employees of the Federal Government shall receive compensation at a rate not to exceed $100 per day, including travel-time for each day they are engaged in the performance of their duties as members of the Council. Members shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carying out the functions of the Council.

TITLE VI—GENERAL PROVISIONS

AUTHORIZATION OF APPROPRIATIONS

SEC. 601. (a) To carry out the purposes of titles I, II, and III there is authorized to be appropriated $75,000,000 for the fiscal year ending June 30, 1975, $75,000,000 for the fiscal year ending June 30, 1976, $125,000,000 for the fiscal year ending June 3, 1977, and $175,000,000 for the fiscal year ending June 30, 1978.

(b) Not more than 5 percent of the funds authorized to be appropriated for any fiscal year to carry out the purposes of this Act may be used for the purposes authorized under title I.

(c) Not more than 10 percent of the funds authorized to be appropriated for any fiscal year to carry out the purposes of this Act may be used for purposes authorized under title III.

(d)(1) To carry out the purposes of part A of title IV there is authorized to be appropriated for each of the fiscal years ending June 30, 1975, 1976, and 1977, the sum of $10,000,000.

(2) To carry out the purposes of part B of title IV there is authorized to be appropriated the sum of $500,000.

(e) There is authorized to be appropriated such sums as may be necessary to carry out the purposes of title V.

NONDISCRIMINATION PROVISIONS

SEC. 602. (a) No financial assistance for any program under this Act shall be provided unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any such program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance under this Act. The provisions of the preceding sentence shall be enforced in accordance with section 603 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if such person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program or activity receiving assistance under this Act.

EFFECTIVE DATES

SEC. 603. (a) Except as provided by subsection (b), the foregoing provisions of this Act shall take effect on the date of the enactment of this Act.

(b) Section 104(b)(5), section 104(b)(6), and section 310 shall take effect at the close of December 31, 1974. Section 105 shall take effect at the close of August 31, 1977.

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

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

There was no objection.

Mr. ECKHARDT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wish to express my specific support for title IV of the Juvenile Delinquency Prevention Act of 1974. Title IV is an outgrowth of the Runaway Youth Act, legislation introduced earlier this year by our former colleague, Congressman Keating, which I cosponsored.

I would like to take this opportunity to point out some of the great need for action in the area of dealing with our youth and the problems they face as a result of modern progress and changing values. The world they face is not the world we faced as teenagers and it is important we understand their unique problems.

I wish to point out to my colleagues a most remarkable group of people in my hometown, Houston, who have made a great contribution to understanding and aiding all our children. I say "all our children" because their project is not confined to the teenagers of Houston, or the gulf coast or even just to Texas. It is a national service that has stretched to 47 States of the Union. I am referring to Operation Peace of Mind, a program which has received much well-deserved publicity during the past few months. As you may be aware, this citizen-sponsored project resulted from a ground swell of public sentiment following the revelation of a mass murder ring in Houston. Private citizens in Houston, with encouragement and financial backing from Governor Briscoe, set up a nationwide WATS number for parents and runaway children to call and inform one another of anything they wished the other to know. That number is (800) 231-6946.

The program has been an unqualified success—lifting a burden from the Houston police who were being swamped with calls from frantic parents who wanted to know if their runaway child was among the dead, reuniting families and giving runaways a neutral ground for contacting estranged relatives and assuring them of their well-being.

Over 250 volunteers have manned the telephones in a Houston motel room and 1,049 times thus far one of those volunteers has had the rather awesome responsibility of calling a parent with the simple message—"Your child is alive." Over 2,700 callers in 47 States have been aided, helped, or reunited by Operation Peace of Mind. With very little money for promotion you might very well question how widely known the service has become. "Dear Abby" several times in her column has urged runaways to call Peace of Mind and ask them to inform their parents that they are well, even if they do not wish to speak to them personally. Walter Cronkite on his Christmas night broadcast asked runaways to call home or at least to call Peace of Mind and have them relay a message. Features on the

service have run in McCall's, U.S. News & World Report, Reader's Digest, and Seventeen. The Associated Press ran a story on Peace of Mind on its national wire. Fourteen Governors have contacted the office of Governor Briscoe for information on how their States could aid and publicize this program. The people of Peace of Mind saw first hand the tragedy of alienation between parents and children and decided that if no one else would do something, they would. They did and they are providing a first class, much needed service to the Nation, paying for it through their own pocketbooks and their own State taxes.

There is very little bureaucracy or formal organization to Peace of Mind. Volunteers work when they can and the phone bills are paid when they can be paid. But surely in this time when our citizens are questioning the institutions of government, lack of formal organization or bureaucracy is not a sufficient reason to withhold a $100,000 grant for such a humane and deserving project.

On the contrary, I hope you will agree with me that it is quite a good reason to approve a grant. Yet the Department of Health, Education, and Welfare has just informed Governor Briscoe that the grant application to fund this program has been disapproved by the Office of Youth Development because the application was not properly prepared and because it had not received adequate attention from the public and because the program is not tied to any other official units of Government. I know over 2,700 people in 47 States who would not think much of that conclusion and I can tell you that I do not either. I sincerely hope that if this legislation we are considering today is finally established and Health, Education, and Welfare is given authority to carry out its provision, those in charge will recognize initiative and reward such a dedicated group of people with their support, both morally and financially.

The volunteers of Operation Peace of Mind need money to pay their phone bills and we have turned them down because their application was not properly done. I recognize the need within a bureaucracy for standardization, but I hope that humanity and human need still have a place within the same bureaucracy. I want to add my support to the measure we are considering today and at the same time I want to ask the Secretary of Health, Education, and Welfare to reconsider his decision to refuse funding to Operation Peace of Mind. It would reassure a lot of disappointed people that their government is aware and informed and human and it would also keep a great program in business.

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 having resumed the chair, Mr. BENNETT, 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. 15276) to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes, pursuant to House Resolution 1197, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

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.

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

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

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

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

Mr. STEIGER of Wisconsin. 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 329, nays 20, not voting 85, as follows:

[Roll No. 360]

YEAS—329

Abdnor	Clawson, Del	Giaimo
Abzug	Clay	Gibbons
Addabbo	Cleveland	Gilman
Alexander	Cohen	Ginn
Anderson, Calif.	Collier	Goldwater
Anderson, Ill.	Collins, Ill.	Gonzalez
Andrews, N.C.	Conable	Grasso
Andrews, N. Dak.	Conte	Gray
Annunzio	Conyers	Green, Pa.
Ashbrook	Corman	Grover
Ashley	Cotter	Gubser
Badillo	Coughlin	Gude
Bafalis	Cronin	Guyer
Baker	Daniel, Robert W., Jr.	Haley
Barrett	Danielson	Hamilton
Beard	Davis, S.C.	Hammer-schmidt
Bennett	Davis, Wis.	Hanley
Biaggi	Delaney	Hansen, Idaho
Blester	Dellenback	Harrington
Bingham	Dellums	Harsha
Blatnik	Denholm	Hastings
Boggs	Dennis	Hawkins
Boland	Dent	Hays
Bowen	Derwinski	Hechler, W. Va.
Brademas	Devine	Heckler, Mass.
Bray	Donohue	Helstoski
Breaux	Downing	Henderson
Brinkley	Drinan	Hicks
Brooks	Duncan	Hillis
Broomfield	du Pont	Hinshaw
Brotzman	Eckhardt	Hogan
Brown, Mich.	Edwards, Ala.	Hoit
Brown, Ohio	Edwards, Calif.	Holtzman
Broyhill, N.C.	Eilberg	Hosmer
Broyhill, Va.	Esch	Howard
Buchanan	Eshleman	Hudnut
Burgener	Evans, Colo.	Hungate
Burke, Fla.	Fascell	Hunt
Burke, Mass.	Findley	Hutchinson
Burleson, Tex.	Fisher	Jarman
Burlison, Mo.	Flood	Johnson, Calif.
Burton, John	Flowers	Johnson, Pa.
Burton, Phillip	Foley	Jones, N.C.
Butler	Ford	Jones, Okla.
Carter	Forsythe	Jordan
Casey, Tex.	Fountain	Karth
Cederberg	Fraser	Kastenmeier
Chamberlain	Frelinghuysen	Kazen
Chappell	Frenzel	Kemp
Chisholm	Frey	King
Clancy	Froehlich	Kluczynski
Clark	Fulton	Koch
Clausen, Don H.	Fuqua	Kyros
	Gaydos	Lagomarsino
	Gettys	Latta
Leggett	Pettis	Steiger, Wis.
Lent	Peyser	Stephens
Litton	Pickle	Stokes
Long, La.	Pike	Stratton
Long, Md.	Poage	Stubblefield
Lott	Podell	Studds
Luken	Preyer	Symington
McClory	Price, Ill.	Talcott
McCollister	Price, Tex.	Taylor, N.C.
McCormack	Pritchard	Thompson, N.J.
McDade	Quie	Thomson, Wis.
McFall	Quillen	Thornton
McKay	Railsback	Tiernan
McKinney	Randall	Towell, Nev.
Madigan	Rangel	Traxler
Mahon	Rees	Udall
Mallary	Regula	Ullman
Mann	Reuss	Van Deerlin
Maraziti	Rhodes	Vander Jagt
Martin, N.C.	Riegle	Vander Veen
Mathias, Calif.	Rinaldo	Vanik
Mathis, Ga.	Robinson, Va.	Veysey
Matsunaga	Robison, N.Y.	Vigorito
Mayne	Rodino	Waggonner
Mazzoli	Roe	Waldie
Melcher	Rogers	Walsh
Metcalfe	Roncallo, Wyo.	Wampler
Mezvinsky	Rooney, Pa.	Ware
Michel	Rose	Whalen
Milford	Rosenthal	White
Minish	Roush	Whitehurst
Mink	Roy	Whitten
Mitchell, Md.	Roybal	Widnall
Mitchell, N.Y.	Runnels	Wiggins
Moakley	Ruppe	Williams
Mollohan	Ruth	Wilson, Bob
Moorhead, Calif.	Ryan	Wilson, Charles H., Calif.
Morgan	St Germain	Wilson, Charles, Tex.
Mosher	Sandman	Winn
Moss	Sarasin	Wolff
Murphy, Ill.	Sarbanes	Wright
Murtha	Schneebeli	Wyatt
Myers	Schroeder	Wydler
Natcher	Sebelius	Wylie
Nedzi	Seiberling	Yates
Nelsen	Shipley	Yatron
Nichols	Shriver	Young, Alaska
Nix	Sikes	Young, Fla.
Obey	Skubitz	Young, Ga.
O'Brien	Slack	Young, Ill.
O'Hara	Smith, N.Y.	Young, Tex.
O'Neill	Stanton, J. William	Zablocki
Owens	Stanton, James V.	Zion
Patman	Stark	
Patten	Steed	
Pepper	Steelman	
Perkins		

NAYS—20

Archer	Flynt	Satterfield
Bauman	Gross	Shuster
Camp	Ichord	Snyder
Collins, Tex.	Landgrebe	Spence
Conlan	Miller	Symms
Crane	Rarick	Treen
Daniel, Dan	Rousselot	

NOT VOTING—85

Adams	Fish	Minshall, Ohio
Arends	Goodling	Mizell
Armstrong	Green, Oreg.	Montgomery
Aspin	Griffiths	Moorhead, Pa.
Bell	Gunter	Murphy, N.Y.
Bergland	Hanna	Parris
Bevill	Hanrahan	Passman
Blackburn	Hansen, Wash.	Powell, Ohio
Bolling	Hébert	Reid
Brasco	Heinz	Roberts
Breckinridge	Holifield	Roncallo, N.Y.
Brown, Calif.	Horton	Rooney, N.Y.
Burke, Calif.	Huber	Rostenkowski
Byron	Johnson, Colo.	Scherle
Carey, N.Y.	Jones, Ala.	Shoup
Carney, Ohio	Jones, Tenn.	Sisk
Cochran	Ketchum	Smith, Iowa
Culver	Kuykendall	Staggers
Daniels, Dominick V.	Landrum	Steele
Davis, Ga.	Lehman	Steiger, Ariz.
de la Garza	Lujan	Stuckey
Dickinson	McCloskey	Sullivan
Diggs	McEwen	Taylor, Mo.
Dingell	McSpadden	Teague
Dorn	Macdonald	Thone
Dulski	Madden	Wyman
Erlenborn	Martin, Nebr.	Young, S.C.
Evins, Tenn.	Meeds	Zwach
	Mills	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Jones of Alabama.

Mr. Rooney of New York with Mr. Dorn.

Mr. Rostenkowski with Mr. Bergland.
Mr. Brasco with Mr. Brown of California.
Mrs. Sullivan with Mr. Diggs.
Mr. Carey of New York with Mrs. Hansen of Washington.
Mr. Moorhead of Pennsylvania with Mr. Holifield.
Mr. Carney of Ohio with Mr. Macdonald.
Mrs. Burke of California with Mr. Mills.
Mr. Reid with Mr. Roberts.
Mr. Dulski with Mr. Heinz.
Mr. Bevill with Mr. McEwen.
Mr. Montgomery with Mr. Arends.
Mr. Staggers with Mr. Dickinson.
Mr. Byron with Mr. Cochran.
Mr. Madden with Mr. McCloskey.
Mr. Dominick V. Daniels with Mr. Hanrahan.
Mr. Stuckey with Mr. Martin of Nebraska.
Mr. Dingell with Mr. Shoup.
Mr. Evins of Tennessee with Mr. Huber.
Mr. Jones of Tennessee with Mr. Powell of Ohio.
Mr. Gunter with Mr. Wyman.
Mr. Meeds with Mr. Bell.
Mr. Culver with Mr. Steiger of Arizona.
Mr. Smith of Iowa with Mr. Zwach.
Mr. Adams with Mr. Thone.
Mr. Breckinridge with Mr. Horton.
Mrs. Green of Oregon with Mr. Scherle.
Mrs. Griffiths with Mr. Mizell.
Mr. McSpadden with Mr. Erlenborn.
Mr. Passman with Mr. Lujan.
Mr. Landrum with Mr. Blackburn.
Mr. Lehman with Mr. Kuykendall.
Mr. Hanna with Mr. Fish.
Mr. Davis of Georgia with Mr. Teague.
Mr. Murphy of New York with Mr. Minshall of Ohio.
Mr. Sisk with Mr. Roncallo of New York.
Mr. Taylor of Missouri with Mr. Steele.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1197, the Committee on Education and Labor is discharged from the further consideration of the Senate bill (S. 645) to strengthen interstate reporting and interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; for the establishment, maintenance, and operation of temporary housing and counseling services for transient youth, and for other purposes.

The Clerk read the title of the Senate bill.

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 645) be recommitted to the Committee on Education and Labor.

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

There was no objection.

GENERAL LEAVE

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

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

There was no objection.

UNITED STATES AGAINST JOHN D. EHRLICHMAN, ET AL.

The SPEAKER. The Chair desires to make an announcement.

The Chair in his official capacity as Speaker of this House has received a subpena duces tecum issued by the U.S. District Court for the District of Columbia commanding him to appear in the said court to testify and produce certain papers in the case of the United States against John D. Ehrlichman et al. on the 2d day of July 1974. The subpena has been issued on behalf of defendant G. Gordon Liddy.

Under the precedents of the House the Chair is unable to comply with this subpena without the consent of the House, the privileges of the House being involved. The Chair will also state that the papers described in the subpena are not within his custody or possession.

The Chair, therefore, submits the matter for the consideration of this body.

The Clerk will read the subpena.

The Clerk read as follows:

SUBPOENA TO PRODUCE DOCUMENT OR OBJECT

[In the U.S. District Court for the District of Columbia, No. 74–116]

United States of America v. John D. Ehrlichman, et al.

To Carl Albert, Speaker of the House, House of Representatives, Washington, D.C.

You are hereby commanded to appear in the United States District Court for the District of Columbia at courtroom 6 in the city of Washington on the 2nd day of July 1974 at 9:30 o'clock A.M. to testify in the case of United States v. John D. Ehrlichman, et al. and bring with you certified copies of the transcripts of the testimony of Robert E. Cushman, John D. Ehrlichman, E. Howard Hunt and Charles W. Colson, given before the sub-committee on intelligence of the Committee on Armed Services of the House of Representatives regarding its inquiry on the CIA—Watergate—Ellsberg matter, during the period commencing May 11, 1973 through July 10, 1973.

This subpoena is issued upon application of the defendant, G. Gordon Liddy.

JAMES F. DAVEY,
Clerk.
By MARGARET WHITACRE,
Deputy Clerk.

July 1, 1974.
Peter L. Maroulis, Esq.
Attorney for G. Gordon Liddy,
Poughkeepsie, N.Y.

RETURN

Received this subpoena at Washington, D.C., on July 1, 1974 and on July 1, 1974 at House of Representatives served it on the within named Carl Albert by delivering a copy to him.

Dated: July 1, 1974.

THE LATE MRS. ALBERTA WILLIAMS KING

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

Mr. CONTE. Mr. Speaker, I know I speak for all of my colleagues in expressing profound grief at the senseless slaying yesterday of Mrs. Alberta Williams King.

Just 3 weeks ago, I shared a podium in my hometown of Pittsfield, Mass., with Mrs. King's husband, the Reverend Martin Luther King, Sr. The occasion was the 128th anniversary of the Second Congregational Church. I did not imagine at that joyous time that I would be sharing a personal sorrow with the vibrant, buoyant Reverend King.

I recall on that evening I spoke of the early influence Reverend King exerted on his martyred son, the Reverend Martin Luther King, Jr. I would like to quote from Proverbs XXI, 10–31 in eulogizing Mrs. King today:

Who can find a virtuous woman? for her price is far above rubies. The heart of her husband doth safely trust in her. . . . She will do him good and not evil all the days of her life. She seeketh wool and flax, and worketh willingly with her hands. . . . She riseth also while it is yet night and giveth meat to her household. . . . She layeth her hands to the spindle, and her hands hold the distaff. She stretcheth out her hand to the poor. . . . Strength and honor are her clothing. . . . She opens her mouth with wisdom; and in her tongue is the law of kindness. She looketh well to the ways of her household and eateth not the bread of idleness. Her children arise up and call her blessed. . . . Favor is deceitful and beauty is vain: but a woman that feareth the Lord, she shall be praised. Give her of the fruit of her hands; and let her own works praise her in the gates.

Mrs. King, herself an immensely private, devoutly religious woman, gave the world one of its great leaders in her son. What she taught him from his earliest days, he shared with a troubled nation.

Mrs. King died the victim of the type of action her son preached against—the violent act that can bring no greater understanding, only greater division among the people he would have see live together in love and harmony.

On this sad day, I send my condolences to the Reverend Martin Luther King, Sr., and the King family.

THE DIMINISHING STRENGTH OF THE U.S. NAVY

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

Mr. CARTER. Mr. Speaker, I regretted very much to read in the Washington Post an article from United Press International which quotes Admiral Zumwalt as saying:

During my tenure as Naval Chief we have arrived at that position where the U.S. Navy is not able to perform its mission.

In other words, Mr. Speaker, the admiral is stating that he has been in command while the strength of the U.S. Navy has diminished to the point where it cannot guarantee the safety of our sea lanes. Our military appropriations have increased yearly. This year the appropriation amounts to $78.5 billion.

Some 7 years ago it was brought to the attention of this House that we were falling behind in missile strength. It was brought to the attention of the Navy that they should dedicate more time to

development of a missile which was more effective than the SN–1. The SN–1 is a Russian missile of fairly short range, 22.4 miles. It is on target in 4.4 minutes, which is 0.6 minute before the average reaction time of a ship's crew from an unalerted position. We have developed certain automatic defense mechanisms to shoot this missile down, but we have not developed one which is faster or more effective.

For 7 long years, I have had numerous briefings by admirals, captains, and commanders, and in those 7 long years no solution has been presented. Gen. Nathan Bedford Forrest crudely expressed the solution to the problem. When asked to what he attributed his success, he replied, "Git thar fustest with the mostest."

Again, we need a missile which is faster and is on target in a shorter time than the SN–1 or Styx.

In another area, Mr. Speaker, in the opinion of many, an aircraft carrier in the Mediterranean is a sitting duck. We have stuck to the huge carriers as during the era of Gen. Billy Mitchell we stayed with our battleships. Our thinking must change with the times. We must develop, and we are late now, smaller nuclear carriers and missile-carrying nuclear cruisers and nuclear submarines.

The Navy cannot do this on a 40-hour week. It will take devotion, dedication, thought, sweat, perseverance, and time.

I include the article from the Post concerning Admiral Zumwalt.

The statement concerning our Vietnam veterans is quite true. With several Members, I have introduced legislation which would increase benefits under the GI bill of rights for Vietnam veterans to include books and tuition, as well as an increased basic allowance.

It is with sincere regret that I ask the House to take note of the admitted weakness of the U.S. Fleet, and I ask for this body to work diligently toward recovering our position as the world's foremost naval power.

The article follows:

ZUMWALT SAYS HE TURNED DOWN VA POST, CITES "DOMESTIC POLITICS"

Adm. Elmo R. Zumwalt said yesterday that he was offered the job of veterans administrator but turned it down because "domestic politics" prevent the Veterans Administration from providing Vietnam-era veterans the benefits they need.

Zumwalt also repeated his contention, as he did Saturday at his retirement ceremonies as chief of naval operations, that the U.S. Navy has "lost control of the seas" and could be defeated in a confrontation with the Soviets.

Depending on strategic considerations, Zumwalt said in a broadcast interview, U.S. naval commanders should consider keeping their forces out of areas of confrontation.

Zumwalt shook off repeated questions about the strategic arms negotiations in Moscow, saying an explicit order from Secretary of Defense James R. Schlesinger prevents active duty officers from commenting on the SALT negotiations.

When asked on NBC's "Meet the Press" (WRC) whether he had been offered the post of VA administrator, Zumwalt answered "yes, I was." As for why he thought the job offered little chance of helping veterans, he replied: "The domestic political condition at the present time is such that important, innovative programs have very little chance for success."

Zumwalt explained that he felt Vietnam veterans "have not been well served by the people and . . . much improvement in their benefits is required, and I did not see any possibility of getting those changes made."

"We have during my tenure" as naval chief, said Zumwalt, "arrived at that position where the United States Navy, the odds are, is not able to perform its mission, which is the tougher mission—being able to control and use the seas—and where the odds are the Soviet navy can carry out its mission more, the easier mission of cutting sea lines of communication," he said.

Zumwalt said both Deputy Defense Secretary William P. Clements and the chairman of the Joint Chiefs of Staff, Adm. Thomas H. Moorer, agreed with him that "it is dangerous for the United States now to deploy its fleet in a bilateral confrontation with the Soviet Union in the eastern Mediterranean," because the odds are it would be defeated in any conventional war.

RETIREMENT OF ELMO R. ZUMWALT, JR., AS CHIEF OF NAVAL OPERATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. REGULA) is recognized for 10 minutes.

Mr. REGULA. Mr. Speaker, one of the most exciting periods in the history of the U.S. Navy ended Saturday when a man for whom I have the highest respect Adm. Elmo R. Zumwalt, Jr. stepped down as Chief of Naval Operations. I would like to bring to your attention at this time some of the highlights of the 4 years this brilliant, innovative, and often controversial man spent at the helm of our Nation's Navy.

Admiral Zumwalt has become known in most quarters as the "people" admiral, and so he should be. Somewhat less known is his enjoinder to the Naval Academy class of 1971 that:

In meeting the needs of your people, the overriding demands of discipline must also be met.

True military discipline, he told the midshipmen is "the intelligent obedience of each for the effectiveness of all." The definition, he said, was not his own. Rather, it came from another great leader, native of Ohio, Chief of Naval Operations and recognized naval hero, Adm. Ernest J. King, who had spoken at Zumwalt's own commencement exercises 29 years before.

It seems to me as though Admiral Zumwalt's objective was to improve the conditions of service while strengthening standards and discipline. His philosophy was that America, a dynamic society, had historically accommodated change and that the Navy, a part of society, had frequently been in the forefront, especially in technological change. He felt that the Navy had fallen behind in the field of interpersonal relationships and minority representation and thus his efforts were directed toward those weaknesses. He was firmly convinced that the enhancement of awareness of minority concerns, the promotion of equal opportunity, the reduction of family separation, and the removal of unnecessary irritations would enhance the climate for good discipline, eliminate potential petty offenses, and free leaders for more constructive leadership.

Admiral Zumwalt was able to confirm for the benefit of all hands in the Navy that he was not willing to accept tokenism and lip service in support of race relations but that he desired and demanded a personal and enthusiastic commitment from everyone in the Navy. He emphasized that racial prejudice is a personal and private matter for an individual to deal with: Racial awareness is not.

By the time Admiral Zumwalt was sworn in as CNO, fewer than 10 percent of the young men and women volunteering for naval service were staying on for a second tour when their first hitch expired. The turbulence and cost of recruiting and training replacement personnel had reached a point which was simply unacceptable in terms of budgetary considerations and, more importantly, the basic effectiveness of America's fighting fleets.

Admiral Zumwalt was noted for a series of personnel actions, initiated largely through the vehicle of the NAVOP message or, as Navy Times named them, the "Z-Gram," aimed at improving the conditions of life in the Navy as one means of keeping good sailors in uniform. This was based on his conviction that people were the top priority and that the Navy leadership had best get on with making the Navy competitive.

Major efforts were devoted to reducing family separation. These included overseas homeporting of destroyers and carriers, increased shore billets for some job ratings, 30-day standdown periods following deployments overseas, air charter service for dependents, and an altered tempo of local operations to increase time at home.

Other changes were made to improve job satisfaction. These included establishment of rentention study groups and elimination of abrasive regulations where feasible, formulation of a Chief Petty Officer Advisory Board and Sailor of the Year program, meritorious advancement and accelerated promotions for demonstrated ability, institution of a personnel exchange program with allied navies, increased education opportunities and formalization of career counseling for all hands.

To keep abreast of these improvements Admiral Zumwalt opened channels of communication at all levels.

Just as hair length is not a measure of a man's capability, Admiral Zumwalt determined that age was not necessarily the major measure of a man's wisdom. In order to make room for bright, capable officers in the flag ranks, he formalized the continuation process for flag officers. This process involves the screening for each flag officer by an impartial board at

an appropriate point in the officer's career to determine the desirability of his continuing on active duty. The process has been both successful and fair and had reduced the average age in the flag community to 51 years.

Combat effectiveness is measured in many ways. Admiral Zumwalt perceived at the outset of his tour that the U.S. naval edge inherent in its carrier air power and sea control forces was being neutralized and overtaken by Soviet advances in antiship missilery. He made a conscious decision to sacrifice that edge even further in the near term by retiring older ships in order to fund a modernization program designed to restore U.S. naval supremacy for the 1980's. It would have been far easier for him to have taken the safe, easy course of embracing today's security and let tomorrow's CNO worry about tomorrow's problem. He keenly felt the accountability of his position, and recognized that if he failed to take decisive action he would be painting tomorrow's CNO into a corner from which he might never escape.

Change is never popular. But we do not live in yesterday's world, nor can we. We live in today's world, and for tomorrow's. Change, responsible change, sometimes is essential to protect today's world and to preserve tomorrow's. So it was in 1970 when Admiral Zumwalt assumed his present command, and so it is today.

In assessing Admiral Zumwalt's impact on future combat effectiveness of the Navy, it is my estimation he has set an impressive record in new systems development:

He fought a long but successful battle for a fourth nuclear carrier.

He argued successfully for the Trident program.

He convinced critics of the need and brought the highly capable F–14 into the fleet.

He met the immediate need of bringing new ships armed with existing weapons into the fleet. The modern turbine-powered DD–963 is designed for future modernization as new weapons systems become operational.

The programs that Admiral Zumwalt has pressed forward over the past 4 years have been concentrated in striking a balance in the Navy by getting a large number of lesser capable, less expensive ships to complement the few highly capable expensive units in order to have the numbers vitally necessary to meet the wide range of commitments while retaining the capability to meet the increasing threat. Some of these include:

The sea control ship—small air capable platform to provide sea based air capability in the lower threat areas of the world permitting the small numbers of very expensive, highly capable aircraft carriers to devote their attention to the critical threat areas such as the North Atlantic, Mediterranean, and Northwest Pacific.

The patrol frigate—a gas turbine propelled missile ship with excellent area air defense weapons and two helicopters designed to operate in support of noncarrier task groups and convoys.

The NATO hydrofoil (PHM)—a small Harpoon missile equipped ship designed in coordination with NATO allies to provide an offensive punch in narrow seas like the Mediterranean.

On balance the Zumwalt years have been a turbulent period within the Navy. But the plus column stands out clearly:

Admiral Zumwalt charted a course to retain a Navy in a fiscally constrained world.

He perceived that numbers of weapons platforms were the greatest need and set a course for a modern fleet of single screw nuclear attack and ballistic missile submarines.

He moved the Navy into the cruise missile arena to counter a growing Soviet threat.

He articulated the need to speed up weapons acquisition programs.

He caused the Navy to take a careful look at itself and examine and correct its weaknesses in the area of human resource management, equal opportunity, drug abuse, and career motivation.

He instituted many changes which made shipboard life more acceptable. These changes, which included the improvement of general living conditions, improved sea-shore rotation, and increased opportunity for women, all led to an increase in retention from 10 percent in 1970 to 23 percent in 1973. In fact the first woman trained in the naval aviation program was Judy Neuffer of Wooster, Ohio, in the 16th District.

He successfully reordered the priority of naval missions making "control of the seas" the primary general purpose mission for the first time since World War II.

He developed an unequaled method of communicating with all the Navy. With Project Sixty he gave his assessment of the Navy when he took command. In 1971 he initiated the CNO Policy and Planning Guidance which annually expressed his goals and objectives for the Navy. The CNO program analysis memoranda analyzed each mission area and displayed alternative ways his goals and objectives could be reached. These, along with the Z-grams, allowed every person in the Navy to know the policies of the CNO himself in a fashion unmatched by any of his predecessors.

Finally, he caused leaders to recognize that the Navy cannot prevail in the world of tomorrow without a balanced force of a few high capability weapons systems and a much larger number of lower capability and less expensive platforms.

We all owe a debt of gratitude to the vision of this leader. As the United States faces a continuing problem of resource shortages, the Navy's role in keeping the sealanes open will become increasingly important to our Nation's future. Admiral Zumwalt has chartered a course for the Navy that will provide the tools for it to fulfill this critical mission. His dedication and professionalism have been in the highest traditions of the armed services and service to his country.

AN EXPANDED FUNDING PROGRAM TO "SAVE OUTDOOR AMERICA"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. STEELMAN) is recognized for 15 minutes.

Mr. STEELMAN. Mr. Speaker, along with 19 cosponsors, I am today introducing H.R. 15740, a bill to establish a "Save Outdoor America" program. This bill will provide significantly expanded funding for the existing land and water conservation fund, which is used to purchase lands for parks, open space, and outdoor recreation purposes at Federal, State, and local levels, and to provide for some development. This bill will raise the existing appropriation authorization ceiling over three-fold—from the current $300,000,000 to $1 billion annually, without requiring new funds from general revenues.

On May 23, I introduced a similar bill, H.R. 14999. That bill forms the backbone of the bill I am introducing today.

Mr. Speaker, we are continuing to face a real crisis in protecting our rapidly diminishing natural landscapes and outdoor recreation open space. The pressure of expanding population, accompanied by the proliferating impact of technology on the land, is rapidly overwhelming our natural landscape and leaving little behind that does not reflect the heavy imprint of man's works. It has been said so repetitively that it is almost trite, but it is also true, that what we are to have must be saved now, for the longer we hesitate, the more we lose irretrievably. Once a resource is lost to another use, that resource is usually unreclaimable from both the standpoints of cost and the ability to physically reinstate it to the original form.

It is not only the superlative and unique resources which are continually threatened, but so are the more ordinary resources—which suddenly become unique in a relative sense solely due to the complete transformation of the environment around them, leaving them as precious islands of open space merely representative of the great natural landscape that once was.

We are all aware of these threatened areas. They are currently represented by such names as the Big Thicket, the Cuyahoga Valley, the Santa Monica Mountains, the Indiana Dunes, and the Big Cypress. They often take the form of small remnant wildernesses in the East, and of yet-wild and scenic rivers scattered across the Nation. The needs for saving a few remaining natural open spaces near to and throughout expanding suburbia across the country is of pressing urgency. There is hardly a community in America that does not know this problem well from experiences and concerns close at hand. They need not look beyond the county line to find a real need.

It is important to point out that by existing law, the bulk of the money now available to the land and water conservation fund comes from revenues from the sale of oil resources on the Outer Continental Shelf. The Save Outdoor

America legislation will continue this practice with the expansion of the fund ceiling. The argument has been persuasively made that money obtained from the sale of public resources on the Outer Continental Shelf should properly, at least in part, be reinvested in some other form of direct public benefit, such as the purchase of resources in the form of outdoor recreation space for the benefit of all Americans. Revenues coming from Outer Continental Shelf sales are now rising into the billions of dollars annually, and are projected to approach $8 billion annually this fiscal year and probably continue at that level for some time. Earmarking only one-eighth or less of this annual income for saving outdoor recreation space across the country does not seem to be an extravagant thought.

Mr. Speaker, the Save Outdoor America program, if fully carried through to final fund expenditure, would help solve this problem of saving America's natural heritage, in a way heretofore unprecedented in this country. The backlog of congressionally authorized, but as yet unacquired outdoor recreation lands in our national parks, forest, wilderness, refuges, and wild and scenic rivers areas approaches nearly $2 billion. Coupling with this the lands which the Congress is now considering as meritorious additions, and those which will continue to be proposed within the next several years, the figure reaches well in excess of the $2 billion mark.

The funding provided by this legislation would be sufficient to wipe out this decades-old backlog of Federal acquisitions and also provide funds for the prompt purchase of areas currently being considered for addition to the Federal land managing systems—within a time frame of 7 years. This complete elimination of the Federal acquisition backlog within this period is a specific goal of this legislation. This kind of time frame will also alleviate the longstanding problem of landowners not getting paid for years beyond the time their lands are incorporated within authorized boundaries of established Federal areas, and money to pay for other authorized new Federal acquisitions should be available promptly.

As provided by existing law, 60 percent of the total fund is distributed to the States and local governments for use in their outdoor recreation land acquisition and development programs. This legislation continues that procedure, and augments the States benefits for a period of 7 years, in the form of increasing the Federal share of the matching grant from the current 50 Federal/50 State match. The Save Outdoor America bill changes the match ratio for 7 years to a match of 70 Federal/30 State for land acquisition, 60 Federal/40 State for development, and retains the current 50/50 match for planning. At the end of this 7-year period, the match ratio reverts to the present 50/50 ratio for all functions.

Mr. Speaker, the reason for this change is to provide a short-term added catalyst to the States to move with full force and commitment into the outdoor recreation program at the State and local level. As on the Federal level, if lands are to be saved, the quicker the better, in the interests of keeping costs down and assuring obtaining them at all, as they continue to be consumed for other uses. As with the Federal Government, State outdoor recreation programs must fight the battle of priorities with other programs competing for too few dollars. This type of match ratio for a relatively short period of time should make the outdoor recreation program appear very attractive to State governments in priority setting. If they ever plan to move forward in this field, they will not likely hope to find a more attractive atmosphere for so doing than is provided by this approach. Though through this measure the funding is coming in great part from Federal sources for State benefit, it still remains that it is basically the public's resources on the Outer Continental Shelf which are being converted to another public benefit in the form of providing increased outdoor open space, irrespective of the governmental mechanisms by which it occurs.

Mr. Speaker, aside from the direct funding benefits provided by this bill, one other key feature is the reference to this greatly increased funding thrust as the Save Outdoor America program. This new name does not replace the name of the land and water conservation fund, but rather merely augments it by providing a new and shortened phrase to identify the expanded funding thrust provided by this legislation. This bill also provides that temporary signing shall be placed on the site of newly acquired and developed lands purchased through this funding program, identifying the action as a product of the Save Outdoor America program of the land and water conservation fund. The entire effort here is to significantly increase the visibility of the entire funding effort by introducing a shorter and more descriptive action title to aid in heightening and sustaining the visibility of the program across the land.

Mr. Speaker, it is one thing to establish a program, and it can often be quite another to keep it going. I believe this bill combines the ingredients of success to accomplish both. The Save Outdoor America bill provides sufficient funding to do the job which is needed, and it provides the mechanism through match ratio incentives and through efforts to heighten public awareness and support, to give the program the momentum and visibility needed to carry it through.

This bill represents legislation which will bestow great and lasting tangible benefits for people across the Nation, if fully implemented, and it can bring forth positive results in the very near future. Outdoor recreation space will never be cheaper later than it is now. Moreover, it will never be more easily available than it is today, prior to its being subjected to impairments or total loss from other uses. The Save Outdoor America legislation provides significantly added momentum to assure that selected parts of our Nation will be preserved for the benefit and enjoyment of present and future generations. But we must act soon and positively, and with a strong commitment of both funds and visibility to assure a sustained effort.

Following is the text of the bill:

H.R. —

A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, to establish a "Save Outdoor America" program, 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 "Save Outdoor America Act of 1974".

SEC. 2. In recognition of the urgent need to more rapidly facilitate the preservation of fast disappearing natural landscapes and open space, and to assist the careful development of certain areas for the benefit and enjoyment of present and future generations, there is hereby established an expanded funding program of the Land and Water Conservation Fund to "Save Outdoor America".

SEC. 3. The Land and Water Conservation Fund Act (78 Stat. 897), as amended (16 U.S.C. 4601–4601–22), is further amended as follows:

(a) In Section 1(b), add the following at the end of the paragraph: "In order to provide added impetus to the achievement of these purposes, there is inaugurated, beginning with fiscal year 1976, an accelerated funding thrust referred to as the 'Save Outdoor America' program."

(b) In Section 2(c)(1), strike "$200,000,000" and the remainder of that sentence and insert in lieu "$300,000,000 for fiscal year 1975 and $1,000,000,000 for each fiscal year thereafter through June 30, 1989."

(c) In Section 2(c)(2), strike "$200,000,000 or $300,000,000" and insert in lieu "$300,000,000 or $1,000,000,000".

(d) In Section 6(c), at the end of the first sentence strike "State." and insert in lieu "State: *Provided however,* that for each fiscal year during the period July 1, 1975 through June 30, 1982, payments to any State shall cover not less than 50 per centum of the cost of planning, 60 per centum of the cost of development, and 70 per centum of the cost of acquisition projects which are undertaken by the State. Beginning July 1, 1982, the aforementioned per centum payments shall change to not more than 50 per centum for all functions."

(e) In Section 8, strike "purposes." and insert in lieu the following: "purposes: *Provided however,* that in each case where significant acquisition or development is initiated on either the State or Federal side of the Fund, appropriate standardized temporary signing shall be located on or near the affected site, to the extent feasible and practical, so as to indicate the action taken is a product of funding made available through the Save Outdoor America program of the Land and Water Conservation Fund Act. Such signing shall indicate the per centum and dollar amounts financed by Federal and non-Federal funds. The Secretary shall prescribe standards and guidelines for the usage of such signing to assure consistency of design and application."

SECTION-BY-SECTION ANALYSES

Section 1: Provides that the Act may be cited as the "Save Outdoor America Act of 1974".

Section 2: States that the purpose of the Act is to establish an expanded funding program of the Land and Water Conservation Fund in recognition of the urgent need to more rapidly facilitate the preservation of fast disappearing natural landscapes and open space and to assist the careful development of certain areas, for the benefit and enjoyment of future generations.

Section 3: Provides for various amend-

ments to the Land and Water Conservation Fund Act, as follows:

(a) Adds to the existing purposes in a supplementary fashion in order to specifically cite the inauguration of the expanded funding thrust resulting from the new Save Outdoor America program which begins with fiscal year 1976.

(b) Changes the authorized appropriation ceiling of the Fund from the current annual $,300,000,000 to $1,000,000,000, beginning with fiscal year 1976.

(c) Changes the current law in accordance with the figures mentioned in (b) above. This is the subsection of the current law which authorizes the use of revenue from the Outer Continental Shelf.

(d) Provides, for a period of seven years, a change in the current grant-in-aid match ratio for state participation. The current 50 Federal/50 State match for all functions is changed to 70 Federal/30 State for land acquisition, 60 Federal/40 State for development, and leaves the planning match as is at 50 Federal/50 State.

(e) Makes one exception to the current law (which provides that no funds from Section 2 of the basic Act may be used for publicity purposes) and thereby provides that under certain conditions, temporary signing will be located on or near the site of significant land acquisitions and developments. Such signing is to reflect the per centum and dollar amounts financed by Federal and non-Federal funds, and is to indicate that the activity is a product of the Save Outdoor America program of the Land and Water Conservation Fund.

SENATOR BUCKLEY PAYS TRIBUTE TO PATROLMAN GEORGE A. FREES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GROVER), is recognized for 10 minutes.

Mr. GROVER. Mr. Speaker, several weeks ago the Honorable JAMES L. BUCKLEY visited my district to honor our men in blue generally and Patrolman George A. Frees, deceased, and other police heroes in particular for their contributions to a lawful society.

I believe Senator BUCKLEY's remarks have meaning for all of us, and I am proud to present them in the RECORD:

REMARKS DELIVERED BY U.S. SENATOR JAMES L. BUCKLEY

I want to take this opportunity to thank you all for the chance to be with you tonight and to join in paying tribute to the memory of a brave man.

We know that Patrolman George Frees was "killed in the line of duty." I think tonight we should remind ourselves precisely of what that word "duty" represents. For policemen it represents a fervent commitment to public service, a realization that society cannot long endure without the willingness to defend it, and an absolute conviction that the rule of law is sacred. This is what duty meant to Patrolman Frees. This is why the phrase "killed in the line of duty" is so noble an epitaph.

In recent years there has been so much written and said about the debt we owe to our police that I hesitate to add any more. Yet there was a time, not long ago, when many respectable public figures in the United States were ridiculing the call for law and order.

We were told that such a call was a "code-word" for disreputable attitudes. We do not hear those charges made today because practically everyone now admits that there is a problem of law enforcement. But through it all, through criticism and abuse and the scorn of the intellectual elite, the man who walked the beat, the one who answered the dangerous call, never wavered. It is said that each age, each generation gets the heroes it deserves. We have been more fortunate. Our heroes—the uniformed patrolmen—have been much more than our age deserves.

This was brought home to me recently by an article that appeared in the *FBI Law Enforcement Bulletin*. It was written by Dr. George L. Kirkham, assistant professor of the School of Criminology, at Florida State University. Dr. Kirkham decided that although he knew quite a bit about law enforcement from an academic viewpoint, he really didn't know what it was like to be a policeman in the line of duty. So this professor, to his eternal credit, actually became a policeman.

He learned, in the streets of the city, that his sheltered academic views of a policeman's work simply had no relation to the harsh reality a policeman has to face every day. He learned from first-hand experience, and I quote:

"Whatever the risk to himself, every police officer understands that his ability to back up the lawful authority which he represents is the only thing which stands between civilization and the jungle of lawlessness . . ."

He went on to write:

"As a police officer myself, I found that society demands too much of its policemen: not only are they expected to enforce the law, but to be curbside psychiatrists, marriage counselors, social workers, and even ministers and doctors. I found that a good street officer combines in his daily work splinters of each of these complex professions and many more.

"Certainly it is unreasonable for us to ask so much of the men in blue; yet we must, for there is simply no one else to whom we can turn for help in the kind of crises and problems policemen deal with. No one else wants to counsel a family with problems at 3 a.m. on Sunday; no one else wants to enter a darkened building after a burglary; no one else wants to confront a robber or madman with a gun. No one else wants to stare poverty, mental illness and human tragedy in the face day after day, to pick up the pieces of shattered lives . . ."

This is what the line of duty means to every policeman. That is what it meant to George Frees. That is what we pay tribute to tonight.

There is one other aspect of this gathering I would like to speak of. There is something uniquely and refreshingly American about the fund that has been created by the people of Suffolk County in memory of Patrolman Frees. In perhaps no other nation in the world is there a stronger tradition of voluntary, free association for humanitarian and educational purposes. This point was brought home to me some months ago. I saw on television the Russian gymnast team then touring the United States. One of the Russian gymnasts was being interviewed by an American newsman through an official Russian interpreter. The newsman asked, "Do you belong to any private gymnastic groups in your country?" Before the gymnast could answer, the Russian interpreter snapped, "There are no private organizations in the Soviet Union." Think of that for a moment. A nation of 250 million human beings and not a single private, voluntary institution of any kind.

So tonight we honor not only a man, not only a proud profession, but a basically American way of doing things. I think it is important to remember that, because from time to time we tend to forget that it is not the state or the national government, but each one of us who is charged with the sacred duty of being his brother's keeper in time of need.

What you have accomplished here represents far more than the setting up of an educational fund, praiseworthy as that is. The voluntary means by which you set it up is as important as the laudable end for which it was created. What this fund gives is not only tuition for education, but something more important: It gives testimony to the neighborly spirit and deep bond of friendship and love that can come only when people freely join together to accomplish a worthy purpose.

Thus, all of you who have helped to create and sustain the George A. Frees memorial fund also are, in a sense, acting in the line of duty. This duty is the one we all have as American citizens, as neighbors, as inheritors of a great tradition, to voluntarily and generously support worthwhile causes. The people of Suffolk County can be proud of the fact that this organization is the first of its kind in the country. And they can take even more pride from the fact thal all this was done, in the words of Lincoln, of the people, for the people and by the people of this community. Not by big government. Not by big brother. Not by the cold, clammy hand of State charity, but the warm, human love of neighbors and friends.

There are pessimists and doomsayers both in and out of Washington who say that our country is in trouble, that we have lost what has been described as the "first, fine careless rapture" that made our country great. If I hear any of this talk from now on, I'll simply say: Go to Suffolk County. Go to the people who have made the George A. Frees memorial fund such a success. Go there and you will find out, as I did, that the spirit of our Nation is alive and well. For this, and for so much else, I want to thank you all.

ALASKA NATIVE CLAIMS SETTLEMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Speaker, today I introduced a bill in the House that would give over 800 Alaska Natives, who missed last year's deadline, another chance to enroll for benefits under the terms of the Alaska Native Claims Settleman Act.

The bill was introduced as a companion to a bill introduced by U.S. Senator TED STEVENS on May 22, 1974.

The bill would require Secretary of the Interior, Rogers C. B. Morton, to reopen the Native rolls, extending the deadline for enrollment from March 30, 1973, to June 30, 1974. The Secretary would also review all applications received before the new deadline.

In December 1973, Morton certified 75,853 Natives for benefits under the act and rejected about 8,000 others as ineligible. This left another 828 Natives who did not enroll by the March 30, 1973, deadline, in a state of limbo and Morton announced that they would not qualify for the act's benefits.

The original deadline set in the act was merely a technicality. The only fair and just thing to do is insure that all Alaska Natives share in the benefits of the land claims settlement. By declaring that certain Natives are ineligible because they missed the deadline, Secretary Morton is in essence denying them the same rights and privileges that the Natives who filed before the deadline will share.

The issue here is not whether or not our Natives met the deadline, but whether or not they have legitimate claims to

the act's benefits as Alaska Natives. The Alaska Native Claims Settlement Act is the first act of its kind in the United States. As such, it will undoubtedly be used as a guideline for settlements between other States and their Natives. Because of this, it becomes vitally important the act be implemented as fairly and equitably as possible.

Simply put, this bill would apply only to those Natives who would have otherwise been eligible under the land claims act, but simply missed the enrollment deadline.

It appears that the Senate will act on the bill in early September. I am hopeful that the House will favorably report out the bill by the same time.

A text of the bill follows:

H.R. —

A bill for enrollment of certain Natives under the Alaska Native Claims Settlement Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

The Secretary of the Interior is authorized to review those applications submitted on or before June 30, 1974, by applicants who failed to meet the March 30, 1973, deadline for enrollment established by Sec. 5(a) of Public Law 92-203, the "Alaska Native Claims Settlement Act," and to enroll those Natives under the provisions of said Act who would have been qualified if the March 30, 1973, deadline had been met.

SEC. 2(a). Upon completion of the study required pursuant to section 2(c) of the Alaska Native Claims Settlement Act (85 Stat. 688) (hereinafter referred to as the "Settlement Act"), the Secretary of the Interior (hereinafter referred to as the "Secretary") shall submit such study to each of the Alaska Native Regional Corporations established under that Act and to the State of Alaska. Each such Corporation and the State of Alaska may review such study and submit its comments to the Secretary prior to June 30, 1975. The study, together with the comments and any response the Secretary may wish to make to such comments, shall be submitted anew to the Congress on or before July 30, 1976.

(b) The Secretary is authorized and directed to make a study of (i) any changes in Alaska Native life style, health status and needs, income distribution and holdings, economic pursuits, housing, means and patterns of transportation, modes of communication, and social and cultural patterns which may result from the implementation of the Settlement Act, and (ii) all federal programs designed to benefit Alaska Native people. The study shall include recommendations of the Secretary for the future management and operation of these federal programs and any other federal programs which may be required to serve the Alaska Native community during the remaining period of, and after, the implementation of the Settlement Act.

(c) In making the study required by subsection (b), the Secretary shall give full consideration to the study made pursuant to section 2(c) of Settlement Act and to the comments thereon by Alaska Native Regional Corporations and the State of Alaska pursuant to subsection (a) of this section.

(d) The Secretary shall provide the opportunity for participation of Alaska Natives and the State of Alaska in the conduct of the study required by subsection (b).

(e) The study required by subsection (b) shall be submitted to the Congress on June 30, 1977.

(f) There are hereby authorized to be appropriated to the Secretary such sums as are necessary to conduct the study required by subsection (b).

WILLIAM HOLMES BROWN, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, I join my colleagues in congratulating William Holmes Brown, Jr., on his ascension to the post of House Parliamentarian. I consider Bill Brown a good friend, and I am delighted that he will be serving in this new position.

Bill Brown brings to his new job a strong education and a firm foundation of experience. He is a graduate of Swarthmore College and the University of Chicago Law School and served in the Navy. He has performed his duties as Assistant Parliamentarian with diligence and skill for some 16 years.

Bill Brown is always available to advise Members of Congress on the intricacies of parliamentary procedure. This accessibility is matched by his intelligence, candor, and integrity.

Bill and his lovely wife and my constituent, Jean, the former Jean Elizabeth Smith of Mobile, make their home near Leesburg, Va., on a magnificent Brown estate which dates back to 1739, an original Lord Fairfax grant.

Mr. Speaker, I salute Bill Brown on his appointment, and I wish him well in what I hope will be many years of service to the U.S. House of Representatives.

TURKEY RESUMES POPPY GROWING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GILMAN) is recognized for 5 minutes.

Mr. GILMAN. Mr. Speaker, today's decision by the Turkish Government to lift its ban on the cultivation of the opium poppy is a severe blow to our Nation's efforts and to the world's efforts to eradicate drug addiction.

There is no apparent reason or rationale to Turkey's decision that opium poppy cultivation will be authorized in six of their provinces. Poppy cultivation accounts for only a minute percentage of the gross national product of Turkey, and because of U.S. assistance to Turkey's poppy farmers, no severe economic losses have been suffered by the Turkish Government or its people as a result of the ban on poppy growing.

Further, the relationship between Turkish poppy cultivation and American heroin addiction has been convincingly demonstrated. U.S. narcotic officials have said that the Turkish crop was the source of 80 percent of all heroin entering the United States illegally. Since the ban was instituted, we have witnessed a sharp decrease in the incidence of heroin addiction here in the United States. It has been estimated that the resumption of Turkey's production of opium may result in a rapid increase in domestic heroin addicts with possibly 250,000 persons turning to heroin. This is an outrageous price to pay for the meager economic benefits Turkey will reap from growing the poppy.

The United States has handsomely compensated Turkey for its ban on poppy growing. We have willingly borne this fiscal burden because of the monumental benefits derived from having the Turks stop all production of opium. Our Nation is engaged in an allout war against heroin addiction, and the Turkish opium ban was a major victory in that war.

Now we are in danger of having that victory, and all of its resulting benefits, undone because of the shortsighted decision announced today by the Turks.

The time has come for the United States to make clear to the world that the lives of our youth are a matter of paramount concern, transcending any question of amicable relations among nations. By restoring cultivation of the poppy, the Turks have struck a deadly blow at countless thousands of our young people—a blow that will result in ruined lives, wasted potential, bleak futures, and even death for many of them.

For what? What tangible economic benefits will the Turks derive from this action?

Mr. Speaker, the United States has formidable weapons at its disposal in making its displeasure known to the Turks. I have recently joined in sponsoring a resolution offered by Mr. WOLFF, in which more than a majority of this House called for action cutting off economic aid to Turkey in the event that the poppy growing ban was lifted.

The United States should not give financial assistance to any nation which permits the poison of drug addiction to flow from its territory. The United States cannot, in good conscience, continue to aid and finance a government that has shown such a callous disregard for the lives and well-being of thousands of Americans.

Mr. Speaker, I urge all of my colleagues to support House Concurrent Resolution 507, and to act decisively and quickly to cut off all financial assistance to the Government of Turkey.

NATIONAL COMMISSION ON THE ECONOMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROSENTHAL) is recognized for 10 minutes.

Mr. ROSENTHAL. Mr. Speaker, together with 43 of my colleagues, I am today introducing legislation that would create a temporary National Commission on the Economy.

One does not have to be an economist to know that the economy is in deep trouble or that normal institutional responses to our economic malaise, are no longer adequate. The most eminent economist in Washington, Dr. Arthur Burns of the Federal Reserve Board, recently warned that:

> The gravity of our current inflationary problems can hardly be overestimated. I do not believe I exaggerate in saying that the ultimate consequence of inflation could well be a significant decline of economic and political freedom for the American people.

Mr. Speaker, Americans are confronted today with an unprecedented combination of negative economic conditions: simultaneously we have the worst inflation in 23 years, the sharpest drop in

gross national product in 16 years and a deteriorating unemployment picture. Unfortunately, traditional economic theories and normal governmental responses have failed to lift us out of our worsening economic decline.

I am beginning to believe that a fundamental review of our economic policies is now overdue. The fact that wholesale prices continue to surge despite the third straight monthly decline in food prices and a relatively stable fuel price situation, indicate that we are entering a particularly dangerous phase of the inflationary process. Moreover, fast moving economic changes throughout the world—such as the joining of nations into economic blocks and the dramatic rise in international trade—demand that we convene a kind of economic summit so that our best economic thinkers can join together in devising new and innovative policies that will put America back on the road to economic success.

There is ample precedent for the establishment of high-level or "blue ribbon" panels to tackle great national problems not solvable through normal institutional arrangements. The Hoover Commission on government organization, the National Advisory Commission on Civil Disorders and the Warren Commission are all examples of extraordinary responses by Government to momentous national problems.

Mr. Speaker, there are many individuals, myself included, who are skeptical of the usefulness of "commissions". In this particular instance, however, I believe there is a genuine need for a *de novo* examination, by the Nation's leading economists, of our economic ills. I have also attempted to create a commission that will be responsive primarily to the legislation branch of government. All too often, we have seen reports and recommendations from study commissions end up in the wastepaper basket of a Presidential assistant. That must not be allowed to happen in this case.

I would also like to point out that in a May 6, 1974, speech before the annual meeting of the Society of American Business Writers, the president of the Bank of America, A. W. Clausen, endorsed the concept of a national commission on the economy as the only way to deal with our staggering economic problems. Mr. Clausen said:

> I have a suggestion that may be worth considering. Back at the turn of the century, in the wake of the financial panic of 1907, the business, financial, and political communities became acutely aware that we needed a new banking system. They recognized that neither Congress nor the Executive Branch had the strength and expertise to construct such a system and make it palatable to the prevailing interests.
>
> So Congress created the National Monetary Commission. Although it was a Congressional body . . . the Commission drew heavily on outside leaders and experts. The Aldrich Commission, as it came to be called, gave us the Federal Reserve Act of 1913. As I think you'll agree, it worked. . . .
>
> I know that the federal government today is bottom-heavy with special boards and commissions. They are appointed with fanfare, and then they lapse into limbo. Their reports are more often ignored than not.
>
> Yet I can think of no better way to mobilize the leadership of government, business, labor, consumers, the financial community, and other interests than to bring them together in a sort of supra-government council —a summit commission representing all the interests that would have to agree in order to put a new economic policy into effect.
>
> So I propose a new National Economic Commission, to be composed of the national leadership, broadly conceived. It would be unique both in its membership and the power it represented and also in that it would build on the work of the many previous commissions which produced exhaustive studies—which have rarely received the attention they deserved—studies on such subjects as national priorities, money and credit, financial institutions, productivity, and many others.
>
> . . . I think it would work, I don't see anything else on the horizon that has a chance. Frankly—and I hesitate to say this—I doubt the capacity of government, even when the President and the majority in Congress are of the same party, to deal effectively with fundamental economic problems without the sort of effort I've proposed.
>
> We have reached a critical juncture. We must either stop inflation or reconcile ourselves to living with it and with its consequences, which include the ever-present threat of a serious recession.

Mr. Speaker, I am inserting at this point, a list of the cosponsors of the legislation together with a copy of the bill itself:

LIST OF COSPONSORS

Mrs. Bella S. Abzug (D-N.Y.), Mr. Joseph P. Addabbo (D-N.Y.), Mr. Thomas L. Ashley (D-Ohio), Mr. Herman Badillo (D-N.Y.), Mr. Jonathan B. Bingham (D-N.Y.), Mr. Edward P. Boland (D-Mass.), Mr. Charles J. Carney (D-Ohio), Mrs. Cardiss Collins (D-Ill.), Mr. John Conyers, Jr. (D-Mich.), and Mr. Dominick V. Daniels (D-N.J.).

Mr. Harold D. Donohue (D-Mass.), Mr. Robert F. Drinan (D-Mass.), Mr. Thaddeus J. Dulski (D-N.Y.), Mr. Don Edwards (D-Calif.), Mr. Joshua Eilberg (D-Pa.), Mr. Donald M. Fraser (D-Minn.), Mr. Benjamin A. Gilman (R-N.Y.), Mr. Kenneth J. Gray (D-Ill.), Mr. Gilbert Gude (R-Md.), Mr. Michael Harrington (D-Mass.), and Mr. Henry Helstoski (D-N.J.).

Mr. Floyd V. Hicks, (D-Wash.), Mrs. Elizabeth Holtzman (D-N.Y.), Mr. James J. Howard (D-N.J.), Mr. Robert W. Kastenmeier (D-Wis.), Mr. Edward I. Koch (D-N.Y.), Mr. Ray J. Madden (D-Ind.), Mr. Lloyd Meeds (D-Wash), Mr. Ralph H. Metcalfe (D-Ill.), Mr. Donald J. Mitchell (R-N.Y.), Mr. Joe Moakley (D-Mass.), and Mr. Claude Pepper (D-Fla.).

Mr. Bertram L. Podell (D-N.Y.), Mr. Charles B. Rangel (D-N.Y.), Mr. Thomas M. Rees (D-Calif.), Mr. Peter W. Rodino, Jr. (D-N.J.), Mr. Robert A. Roe (D-N.J.), Mr. Philip E. Ruppe (R-Mich.), Mr. B. F. Sisk (D-Calif.), Mr. Robert O. Tiernan (D-R.I.), Mr. Lester L. Wolff (D-N.Y.), Mr. Antonio Borja Won Pat (D-Guam), and Mr. Gus Yatron (D-Pa.).

H.R. 15737

A bill to establish a temporary commission to study problems relating to the Nation's economy and to make recommendations for solving such problems

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Commission on the Economy Act".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) the Nation's economy has slumped to an extent that threatens the economic interests of consumers, workers, and producers;

(2) the current efforts of the Federal Government to improve economic conditions are ineffective; and

(3) in a world of fast-changing economic conditions, new directions must be explored and new institutional arrangements established to meet the economic challenges of the future.

(b) It is the purpose of this Act to establish a temporary commission which will—

(1) identify and evaluate those factors which contribute to our current economic problems;

(2) study the impact of policies and practices of the Federal Government on economic conditions in the United States; and

(3) recommend to the Federal Government and to the private sector specific actions and policies which will produce a vigorous national economy.

ESTABLISHMENT OF THE COMMISSION

SEC. 3. There is established a commission to be known as the National Commission on the Economy (hereafter in this Act referred to as the "Commission").

DUTIES OF THE COMMISSION

SEC. 4. (a)(1) The Commission shall conduct a comprehensive study to determine—

(A) the causes of—

(i) price instability;

(ii) erosion of consumer purchasing power;

(iii) the high rate of unemployment and serious problems of underemployment;

(iv) severe inflationary pressures;

(v) shortages in certain essential commodities, raw materials, and finished products;

(vi) problems relating to productivity; and

(vii) such other economic problems as the Commission determines to have a significant impact on consumers;

(B) the effectiveness of existing organizational and institutional arrangements in the Federal Government for establishing sound economic policies;

(C) the impact on the economy of the major regulatory agencies of the Federal Government;

(D) the adequacy of the data collection practices of the Federal Government as they relate to the formulation of economic policy; and

(E) the impact on the economy of the fiscal and monetary policies of the Federal Government.

(2) In determining the causes of the current economic problems listed in subparagraph (A) of paragraph (1), the Commission shall consider specifically the impact of—

(A) industrial concentration and other forms of centralized private economic control over the sources of production and distribution of goods, services, and capital;

(B) international economic conditions and, in particular, such international developments as the formation of multinational economic communities, the expansion of international trade, and the increasing significance of the monetary and fiscal policies of foreign governments;

(C) the activities of major multinational business firms;

(D) the policies and programs of the Federal Government relating to the matters listed in subparagraphs (A), (B), and (C) of this paragraph;

(E) direct and indirect Federal assistance to industry, including—

(i) tax benefits; and

(ii) patent and similar rights to exercise exclusive control over new technology, know-how, and other information, particularly such rights over new technology, know-how, or other information developed in federally-sponsored or federally-related research activities;

(F) the relationship between (i) the costs of producing various essential products and services, and (ii) the costs to consumers of acquiring those products and services; and

(G) the advertising practices of large corporations.

(b) Based on the findings and conclusions of the study conducted pursuant to subsection (a) of this section, the Commission shall formulate specific recommendations for such—

(1) Federal legislation;

(2) Federal executive and administrative action; and

(3) action by the private sector;

as the Commission deems appropriate for solving existing economic problems and for preventing such economic problems in the future.

MEMBERSHIP OF THE COMMISSION

SEC. 5. (a)(1) The Commission shall be composed of fourteen members appointed in the following manner:

(A) The President shall appoint four members, two of whom shall be officers or employees of the executive branch of the Federal Government and two of whom shall be qualified private citizens.

(B) The Majority Leader of the Senate shall appoint five members, two of whom shall be members of the Senate and three of whom shall be qualified private citizens.

(C) The Speaker of the House of Representatives shall appoint five members, two of whom shall be members of the House of Representatives and three of whom shall be qualified citizens.

(2) For purposes of this subsection, a "qualified private citizen" means any individual who—

(1) is not a Member of Congress or an officer or employee of the Federal Government; and

(2) is especially qualified by virtue of education, training, experience, and atttainments to serve as a member of the Commission.

(b) If a member of the Commission resigns, dies, or otherwise vacates his position, a successor shall be appointed in the same manner and subject to the same requirements as such member was appointed.

(c)(1) Except as provided in paragraph (2), members of the Commission shall receive compensation at the rate of $100 per day for each day that they are engaged in the performance of their duties as members of the Commission.

(2) Members who are Members of the Senate or of the House of Representatives or who are officers or employees of the executive branch of the Federal Government shall receive no additional compensation on account of their service on the Commission.

(d) All members of the Commission shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in performing their duties as members of the Commission.

ADMINISTRATION OF THE COMMISSION

SEC. 6. (a) The members of the Commission shall elect one member of the Commission as Chairman and one member as Vice Chairman.

(b)(1) Except as provided in paragraph (2) of this subsection, eight members of the Commission shall constitute a quorum for the purpose of conducting Commission business.

(2) For purposes of conducting hearings, 2 members of the Commission shall constitute a quorum.

(c) The Commission may appoint and fix the compensation of such staff personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 57 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(d) The Commission may procure temporary or intermittent services of experts and consultants to the same extent as is authorized for the departments by section 3109 of title 5, United States Code, but at rates not to exceed $75 per day for individuals.

(e) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) may be provided to the Commission by the General Services Administration. for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services; except that the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46d) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of the Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission and that the Commission shall not be required to prescribe such regulations.

POWERS OF THE COMMISSION

SEC. 7. (a) The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission deems necessary.

(b) The Commission may secure directly from any executive department, agency, or other instrumentality of the Federal Government, such information, suggestions, estimates, and statistics as the Commission deems necessary; and each such department, agency, or other instrumentality shall, to the extent permitted by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(c) The Commission may negotiate and enter into contracts with private business and nonprofit research organizations, including educational institutions, to conduct such studies and to prepare such reports as the Commission deems necessary.

(d)(1) The Commission, or any of its members authorized by the Commission to act in behalf of the Commission, may issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the Commission. The Commission, or any members, employees, or other agents of the Commission designated by the Commission for such purpose, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) Subpenas issued by the Commission, or by an authorized member of the Commission, may be served either upon the witness in person or by registered mail or by telegraph or by leaving a copy thereof at the residence or principal office or place of business of the person required to be served. The verified return by the individual so serving the same, setting forth the manner of such service, shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same.

(3) If a person issued a subpena under the first paragraph of this subsection refuses to obey such subpena or its guilty of contumacy, any court of the United States within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business may (upon application of the Commission) order such person to appear before the Commission, its members, employees, or agents, there to produce evidence or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof. All process of any court to which application may be made under this subsection may be served in the judicial district wherein the person required to be served resides or may be found.

(e) Witnesses summoned before the Commission, its members, employees, or agents, shall be paid the same fees and mileage that are paid witnesses in courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

REPORTS OF THE COMMISSION

SEC. 8. The Commission shall submit to the President and to the Congress the following reports:

(1) A progress report, to be submitted one year after the date of the enactment of the first Act appropriating funds for the Commission, containing—

(A) an account of the activities of the Commission during the preceding year; and

(B) a statement of any specific problems encountered by the Commission in carrying out its responsibilities under this Act which could be solved by Federal executive, administrative, or legislative action.

(2) A final report, to be submitted not later than two years after the date of the enactment of the first Act appropriating funds for the Commission, containing—

(A) a detailed statement of the findings and conclusions of the Commission; and

(B) the recommendations of the Commission formulated pursuant to section 4(b) of this Act.

TERMINATION OF THE COMMISSION

SEC. 9. The Commission shall cease to exist thirty days after submitting its final report.

LEE ELDER DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. METCALFE) is recognized for 10 minutes.

Mr. METCALFE. Mr. Speaker, the city of Chicago and the State of Illinois have proclaimed today, July 1, 1974, as Lee Elder Day.

Not only is Lee Elder one of the finest professional golfers in America, but he is a fine gentleman as well.

On April 21, 1974, Lee Elder won the Monsanto Open in Pensacola, Fla., and thus became the first black man in history to qualify for the prestigious Masters tournament.

Through his courage, determination, and skill, Lee Elder has achieved an important black first. He accomplished this because he was the best, the winner of a major professional golf championship.

Lee Elder has never asked any favors. He has only wanted the opportunity. Given that opportunity, Lee has shown himself to be a champion.

The following article from the Washington Post, printed just after Lee won the Pensacola Tournament, provides an excellent insight into Lee Elder—the man.

Mr. Speaker, I insert this article in the RECORD at the conclusion of my remarks:

LEE ELDER'S VICTORY

A friend of ours had a phone call the other afternoon from Lee Elder. He was in Washington, where he lives when not earning a living as a touring professional golfer. Mr. Elder would have been off practicing his trade

when he phoned, except it was the week of the Masters tournament in Augusta, Ga., when the exclusivist policy of its officials prevent players like Elder and many others of proven skill from competing. So he was in town that week, looking for a friendly round of golf. As it happened, the weather for the next few afternoons turned rainy and cold, and then Lee Elder was off to Pensacola, Fla., to play in the next tournament.

He won it. All who know Lee Elder—from his wife Rose, a charming and bright woman, to his fellow golfers on the tour—are delighted. This is his first major victory, coming after years of struggle not only to master a sport that makes special demands of nerve and muscle but struggle also to overcome the odds of being a black competitor in a predominantly white sport. It was only as recently as 1961, for example that the Professional Golfers Association allowed blacks on the tour.

By winning in Pensacola, Elder is now qualified to play in next years Masters. Much has been made over the fact that no black has ever competed there, suggesting that racism is at work. Actually, a better case can be made that the Masters tournament is an overrated event guided by snobbery, because its select field not only excludes a large number of pros who play every week in other tournaments but also includes a number of players who have no chance of winning at all. The way to solve this problem is to eliminate the archaic rules that qualify contestants and instead enforce rules that are used for other tournaments. In that way, a number of other black players—there were several competing in last week's Pensacola tournament—would be eligible to play in Augusta, with no big deal made about it.

For now, Lee Elder has better things on his mind than next year's Masters. We wish him well in the tournaments ahead. He plays golf with a stylish swing. Off the course, he is a citizen of warmth and modesty, and he has richly earned the bonds of friendship among those who have been pulling for him these past years.

THE ECONOMICS OF ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. WAGGONNER) is recognized for 5 minutes.

Mr. WAGGONNER. Mr. Speaker, while there has been much written on the energy question, I feel that a recent article by Dr. Richard J. Gonzalez in Petroleum Today, really tells it like it is, and I commend it to my colleagues' attention.

I challenge anyone to refute the solid reasoning Dr. Gonzalez presents in these times of emotionalism and short-term answers.

It follows:

ECONOMICS OF ENERGY

(By Dr. Richard J. Gonzalez)

The United States has gone through a series of economic cycles over the past 50 years that involve petroleum.

First, there may be a surplus that causes prices to go down. If prices are frozen at that level, demand is stimulated, development of new supplies is suppressed, and soon a shortage is created. When you create a shortage, the price has to go up. And when the price changes, supply and demand are influenced and that sets in motion a whole new cycle.

In the 1920's the nation was worried about running out of oil. The government appointed a Federal Oil Conservation Board to look into this. People predicted that we were going to run out of oil completely by the 1930's.

Then, fortunately, a new technology came along—geophysics. That suddenly made it possible for companies to find oil in areas where they had looked before, but without success. They found a large crop of new fields, and the price went down because technology had changed, making it possible to find and develop oil at lower costs. People in the 1930's began to think that we would always have a surplus of oil.

That was the first cycle.

But as the price went down, people began to use oil instead of coal and to use oil in many new ways. It became common to use oil for home heating. Petroleum was so cheap that oil burners were developed and we began to enjoy the benefits of central oil heat.

In the 1946 to 1948 period, right after World War II, our country again worried about running out of oil, for the second time in the 20th Century. The price of crude oil went from $1.25 a barrel under price controls in June 1946 to $2.65 in November 1948—more than a doubling.

As a result, there was a great surge in exploration and drilling. In this period, oilmen discovered and applied new technology so they could recover oil and natural gas from formations that previously were non-commercial.

Price stimulated the supply and we were back in balance quickly—by 1949 there was no shortage. The Korean War in 1950 and 1951 caused a slight rise of prices. But from 1958 forward there was a period of about 12 years when we had a surplus. This surplus, however, was in relation to immediate demands—not in relation to long run demands. The threat of greater imports of cheap (at that time) foreign oil kept U.S. prices down and discouraged development of new resources. Beginning in 1958, the price of crude oil and petroleum products began to decline, and the consumer enjoyed price wars and surpluses. The producer was the one who had to stand the unsatisfactory rates of return and the losses.

That was the second cycle.

We appear to be starting a third cycle. If the market is allowed to operate without government controls, the increase in price should stimulate the development of additional volumes, but the higher price also should check the demand.

So forces start moving to alter old trends.

Eventually, supply may be greater than demand, and the price will come back down.

This pattern has occurred before and can be expected to happen again.

IT IS NOT IN OUR POWER TO DETERMINE THE RATE AT WHICH A FOREIGN COUNTRY DEVELOPS ITS RESOURCES

When United States oil exploration slackened in the 1960's, we first drew on our known reserves at faster rates until production reached capacity and then had to meet additional growth in demand from imported oil. This change imposed on world markets an additional requirement from the United States of about one million barrels a day. It had a sharp impact because Eastern Hemisphere production had been increasing (to meet foreign demands) at a rate of two million barrels a day in the 1960's. But now, suddenly, we expected those countries to step production up sharply, especially Saudi Arabia.

Imports of foreign oil rose sharply about three years ago. When that happened, the balance of supply and demand changed. This is when prices abroad began to rise.

We were talking about continuing to raise imports a million barrels a day each year—indefinitely. In the United States now we consume roughtly 17 to 78 million barrels a day, and at a five per cent rate of increase this is almost a million barrels a day additional requirement every year. These are very large numbers.

People often say, "Isn't there a huge surplus of oil in the world? Doesn't the Middle East have tremendous reserves of oil, and isn't it very low cost? Why should we have to pay such high prices for oil?

Yes, there are large reserves of oil in the Middle East. They are low in cost because the wells are prolific, but there isn't enough to satisfy all the demands of the world even if the Middle East countries were willing to produce it as fast as they can.

The next point is: Are they willing, because it is not in our power to determine the rate at which a foreign country develops its resources.

While these countries could step up their production, they could do so only by drilling more wells and accelerating the rate at which they exhaust their known resources. It becomes a question, then, of whether it is in their interests to exhaust their known resources in a hurry.

Let's take the case of Kuwait. Several years ago, Kuwait decided to limits its production to three million barrels a day, roughly one billion barrels a year. Kuwait's reserves are estimated to be in the range of 65 billion barrels. You can argue that they should be able to produce oil much more rapidly because 65 billion barrels of reserves means a 65-year life. Technically, it might be feasible to deplete those reserves in 20 years. But the question that Kuwait would raise is, "Is it in our interest to exhaust our resources in 20 years time? Won't we create great problems for ourselves by making it appear that we are tremendously wealthy for 20 years, and then have nothing at the end of 20 years?"

So they had already decided, several years ago, that they would not step up their production.

Now we turn to Saudi Arabia. Just a short time ago—in 1969—Saudi Arabia was producing three million barrels a day. By 1971 it went to four and a half million barrels a day. By 1972 it was five and a quarter. We were counting on Saudi Arabia to keep increasing its production rapidly until it reached 20 million barrels a day by 1980. If Saudi Arabia goes to 20 million barrels a day it will be producing 7.3 billion barrels a year. The estimated reserves for Saudi Arabia are generally put in the range of 140 to 150 billion barrels. This means that they would deplete their reserves over a 20-year period.

We assumed they would do this for the benefit of the industrialized nations—Western Europe, Japan, and the United States. But, as might have been expected, they began to look at it from their own point of view: "Why should we deplete our resources rapidly in 20 years instead of over 40 or 50 years?"

We now have to pay much more for foreign crude oil than for most domestic crude oil. The increase in cost is due to taxes imposed by foreign governments. When they reduced output, they raised the price—and the taxes—unilaterally, without any opportunity on the part of the major companies to negotiate.

This has happened not only with the Middle East countries, but with other oil exporting countries as well.

Take Venezuela, for example. Venezuela unilaterally sets the price every month. If U.S. oil companies are going to get the supplies, they must pay the price. If they're not willing to pay it, somebody in Europe or Japan is perfectly willing. If we want foreign crude oil for the American consumer, we have to pay the price that the foreign governments demand.

As consumers we don't like it, and the oil companies, too, would prefer lower prices closer to what they paid earlier when supplies were ample. In fact, it may well be that in the long run the price set by foreign governments is too high. But in the short run, there's not much we can do to drive the price down.

In the long run, the United States can develop other energy sources. We can develop oil from deeper formations and in remote areas such as Alaska and on the continental shelf. But in the short run, for several years, we are dependent on wells already in production.

The Middle East cannot supply all of the energy demands of the world. This means our nation must use and develop higher cost resources in the United States. It is in our own interests to go ahead and develop our energy resources so that other countries cannot control our destiny. This is something that the people of the United States feel very keenly about.

As consumers, we don't mind paying a reasonable price for the resources imported from abroad. But we object very strenuously to the concept of other nations having an extraordinary power over our economic life, and trying to exert power over the foreign policy of our government.

IN THE PAST THE COMBINATION OF PRICE AND TECHNOLOGY HAS BAILED US OUT

There's no way of predicting what technology is going to do.

Every time in the past when we have worried about a shortage, the combination of price and technology has bailed us out.

The typical oil field has water, oil, and natural gas. Because of the difference in their physical characteristics and weight, the water is at the bottom, the oil is above the water, and the gas is either in the form of a gas cap or in solution in the oil. The water, oil, and gas are contained in what looks like solid rock. When you produce oil from these wells, the gas and water pressure help to recover the oil. Many fields produce both water and oil, and as the well gets older, there's more water and less oil. The water has to be put back into the ground and this costs money. The well produces less, there's more water per barrel to handle, and costs go up.

Today, the oil industry has to drill much deeper and hunt for smaller fields which are more expensive to find and produce than the larger fields. In the past, a great deal of natural gas was found at 5,000 or 6,000-foot average depths. In Oklahoma, now, companies are drilling 20,000 to 26,000 feet. The costs go up geometrically with the depth, so that a 24,000-foot well, for example, is a great deal more than four times as expensive as a 6,000-foot well. Gas from this depth has a much higher cost. The same thing is true with respect to oil.

Economists call this "diminishing returns." With any given technology, you first develop the lowest cost resources you can find, and as you use up those resources you are compelled to look for more expensive resources. Unless technology changes, costs keep rising.

The interesting thing about the basic raw material of this industry—crude oil—is that for a long time technology has succeeded in keeping costs very attractive. But now, technology can no longer keep pace, and we face a rise in costs.

It takes three to five years or more to bring in a major new producing field or province or area. And it may take longer than that in the North Sea or the North Slope of Alaska. The Prudhoe Bay field in Alaska was discovered in 1968. Due primarily to the delay in obtaining a permit for the Alaska pipeline, it may be 1978 before we get it on stream—ten years.

Prices must be sufficient to pay for the costs of the new resources. Otherwise, they will not be developed. These costs are increased by many circumstances other than inflation, material costs, and wage rates that affect everything. Going offshore adds to the costs significantly. An offshore well may cost five times as much as the same depth well onshore. A well on the North Slope may cost a million or two million dollars, and that may be ten to twenty times as much as the same well would cost in Oklahoma.

This is just the cost of drilling the wells.

In transporting the oil, you may run into extremely difficult conditions. In Alaska there are tundra, mountain ranges, and permafrost to cross. The Alaska pipeline is going to cost $4.5 to $5 billion—the most expensive private capital project ever undertaken.

Looking abroad, the same thing is true in the North Sea. The North Sea is an extremely dangerous area to work, with high waves, strong winds, violent storms, and just about as hostile an environment as you could find. The drilling and production platforms have to be extremely large, extremely expensive. The engineering is absolutely incredible, and this means that costs are very, very high.

That oil is not worth any more to the refiner than the oil that is being produced from older wells drilled years ago under different cost conditions. But it is the price of oil from these higher cost areas that will determine what consumers will have to pay.

It's as though we looked at the most productive wheat farm in the United States and asked, "How much does it cost you to raise wheat on this farm?" And the man says, "Well, it costs me maybe 50 cents a bushel." And then we say, "Well, we ought to get wheat for 50 cents." If that farm could supply all the wheat we needed, that might be true. But when we have to use wheat from other farms, and other people have to pay a dollar or two dollars a bushel, then the man who has the most productive farm isn't going to sell his wheat for any less than the man who has the least productive farm.

This brings up another basic principle of economics. The lowest cost source does not determine what the price should be; the most expensive sources do. Sources like the North Sea, the Continental Shelf of the United States, the deep wells. Obviously, it costs a great deal more for oil and natural gas from these sources than it does to produce it in the Middle East. This is why the governments of those countries can impose taxes that give them very substantial revenues.

Our alternative to using Middle East oil is to develop our own resources. We can use energy differently. We can use it more economically. We can drive smaller cars which will get twice as many miles per gallon as the ones we drive now.

We are talking about converting coal into oil and gas synthetically. We're talking about mining oil shale. These are difficult and expensive projects. The alternative fuels are going to be a great deal more expensive per barrel and per thousand cubic feet of gas than our crude oil and natural gas have been. Yet we're talking about pouring billions of dollars into this kind of research. Any crude oil and natural gas that we can get below the cost of the alternatives will benefit consumers.

With the best technology, the average recovery from all of the fields in the United States has been raised to about 31 per cent of the oil that is known to be in place in the sands and the limestones underground. That's a distinct improvement from what it was 20-odd years ago when it was only 20 per cent. But the engineers tell us that it is technically feasible to think in terms of recovering 50 to 60 per cent. That's twice as much oil. We say that the known oil in place in the U.S. is 431 billion barrels at the beginning of 1973. You can see that each one per cent improvement in the recovery factor means more than four billion barrels of additional production. That is an important figure when you realize that our annual consumption of petroleum products is roughly six billion barrels.

You can see the enormous value of using improved methods to increase recovery. Fracturing is a technique developed in response to the price rise of the 1946–1948 period. Sand and fluids are forced into the well under pressure and as they are pumped into underground rock formations they crack the rock. When these fractures are created, the rock becomes more permeable, and oil can flow more easily through it. This technology was an important factor in bringing about the surplus of the 1950's.

Secondary recovery projects led to a sharp increase in production. In secondary recovery, fairly inexpensive materials are pumped into older wells to build back up the pressure that was allowed to decline by earlier production techniques. The materials include cheap water, cheap gas, or steam created by burning oil and gas produced on the site.

There is still oil in older fields that we might be able to recover by tertiary recovery methods. "Tertiary" meaning the third time around. This particular technology would mean using more expensive recovery methods than at the secondary level. Tertiary recovery might involve using materials such as solvents. Kerosine, for example. If you take a core sample from an oil well, a black rock, and dip it into a can of kerosine, you will see the kerosine stained black with the oil from the core. The kerosine acts as a solvent. Had you dipped that same core into water, the water wouldn't have dissolved the oil.

But kerosine is expensive, so if it's used to recover oil from older wells, it's going to involve a considerably higher cost. Another question is, how much of the kerosine or solvent is lost in the formation, and how much can be recovered? If all the kerosine can be recovered along with the oil, this is great. But if half of the kerosine is lost, it is a totally different story.

People have been working for many years on improving recovery methods, and various companies have come up with different techniques. Oil recovered by secondary and tertiary techniques may cost more than the consumer has been paying, but still be cheaper than the other available alternatives, such as oil from shales and coal.

A sharp change in the real price of oil and natural gas in 1974 may very well accomplish the same kind of alteration of supply and demand as the change that occurred in 1946–1948. In other words, a major expansion of exploration and drilling and new recovery technology to increase the supply and a major impact on the demand side so that eventually we might once again have enough to meet all demands.

IF WE HAVE ANY INTELLIGENCE, WE WILL ENCOURAGE THE ENERGY INDUSTRIES TO EXPAND CAPACITY RAPIDLY

How long will it be before we see the end to the energy shortfall?

This depends on whether government discourages or encourages the development of our own energy resources. If we insist on not using coal, if we insist on keeping the petroleum industry from obtaining oil from the Santa Barbara Channel, if we insist on handicapping the construction of refineries, we could have a shortage forever.

But if we have any intelligence, we will move quite differently from the past. We will encourage the energy industries to expand capacity rapidly, and to increase the output from existing wells by spending more on new recovery techniques.

It's possible to get by without increasing our imports as rapidly as we had expected. The question is, can we reduce imports and still meet our demands? This is a function of how people behave in terms of adjusting consumption.

Let's start with the automobile. Already, consumers have decided that they don't want big cars. All they need is a small car that will get them 20 to 30 miles to the gallon. The automobile companies are cutting back their production of big automobiles because they don't sell, and are stepping up production of small cars. This is going to have a tremendous impact on demand in the future.

Industrial users of energy are obviously going to do all they can to cut back their consumption. People who have studied this think that any large firm can probably cut its use of energy by 10 to 15 per cent by paying attention to waste.

A new process is supposed to cut by 35 per cent the use of energy in the manufacturing of aluminum. I recently saw a picture of the latest cement kiln that will use half as much energy per barrel of cement as the ones now being used.

These are two very, very intensive energy users, and this is an example of what happens when energy costs increase.

The electric power industry is an enormous user of energy and now has a major research program to figure out how they can be more efficient in using energy. People are talking about ways to use the waste heat from electric utilities. In many cases twice as much heat is wasted as is converted into electricity.

We have the potential ability to use nuclear power on a much larger scale, especially if we standardize the plants and then turn them out by mass production. Up to this point, every plant has been custom-designed, and this is an expensive, time consuming process. Something like a ten-year lead time is required.

Many other things might be done to improve our balance of energy supply and demand. Our country has great amounts of coal—both high sulfur and low sulfur. We have to devise and introduce technology for removing the sulfur before it gets into the air. It can be done and surely will, so that once more we'll be able to use our high sulfur coals.

In the western states there are enormous deposits of low sulfur coal that can be surface mined. This has no analogy to surface mining in the Appalachian area. First of all, the lands are basically flat, not hillsides. Second, they don't have the high rainfall of the Appalachians that tends to wash acid wastes into streams. Third, the land is fairly desolate and arid, and it can be restored. And fourth, the cost per acre of restoring it should be reasonable.

In addition, tremendous quantities of low sulfur coal can be mined at reasonable cost without the risk of underground mining, without the risk of black lung involved when miners go underground. The coal can be moved by unit trains or slurry pipelines to the West Coast, to Chicago, even to Houston—at costs that are less than what we are paying now for imported oil.

If we use our intelligence and allow the market forces to work, we might solve some of today's problems within the next decade.

But we must act wisely and promptly on the basis of knowledge and reason rather than on emotional reactions and short-term expediency.

DANNY WAGNER, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STOKES) is recognized for 10 minutes.

Mr. STOKES. Mr. Speaker, I have taken this 10-minute special order in recognition of 7-year-old Danny Wagner, Jr., of Cleveland. Danny's expertise in the art of karate may soon earn him the distinction of being the youngest black belt in the country.

Danny has been practicing the ancient art of self-defense since the age of 5, and his skill and discipline have earned him numerous championships and trophies. It is anticipated that he will earn the black belt at the age of 8, which would make him the youngest person ever to achieve it.

Expert skill and discipline are required to master this ancient art, and for someone as young as Danny, it is truly an extraordinary feat. In Columbus recently, Danny became the first Ohioan to win the kumita—fighting—and kata—form—championships in his age group.

He is the son of Danny Wagner, Sr., of Continental Avenue in Cleveland, and attends the Harvey Rice Elementary School.

I am proud to acknowledge his achievements and submit for my colleagues' consideration a history of Danny's accomplishments in karate as published by the Cleveland Call and Post, Plain Dealer, and Press:

[From the Plain Dealer]

SEVEN-YEAR-OLD CHAMP AFTER SECOND STATE KARATE TITLE

It's not unusual that Danny Wagner is competing in the Pennsylvania Karate Championships this weekend.

After all, he won both the Ohio kumita (fighting) and kata (form) championships recently in Columbus and will be in the Grand Nationals in Milwaukee in two weeks.

But Danny, was also the youngest state champion ever in the history of the three-year-old Ohio tournament and also the first to win both divisions.

Not too bad for a seven year old (he turned seven last Friday), whose father started him on karate lessons only 8 months ago, after his son was roughed up by other youths on the way to classes at Harvey Rice Elementary School.

Now after school, Danny walks across Buckeye Rd. SE. to the studios of the Cleveland Academy of Self Defense, where he is one of the prize pupils of ex-Marine Ray Szuch.

In Columbus, he was the youngest of 30 competitors in the 8-year-old and under pee wee division. Since the title had gone to a 7-year-old from Pennsylvania last year and a Michigan youth the year before, Danny became the first Ohioan to win either title in his age group.

Danny was unbeaten in four matches, before taking the championship with a 2-0 victory. Quiet and shy off the mat, he turns into a three and a half foot, 60-pound tiger when competition begins.

It's the competition, Szuch believes, that helped make Danny a champion at the tender age of six.

"Some of the boys Danny beat had higher degree belts (red or black), but they had never competed before. Danny has been competing almost since he began taking instructions," Szuch said.

"Today, people in karate have young kids obtaining rank (belts) fast, but Danny is the only one successfully competing against these youths."

Danny currently works out about two hours a day, six days a week at the academy, which is less than a block from his school and very near his home on Continental Ave. SE.

Now a green belt, he has two more ranks, or gups, to attain before moving on to a red belt, then a black belt.

The fact that Szuch was willing to take Danny for lessons is the main reason the young champion is at his studio. Danny's father tried several other studios but was turned down because of Danny's age.

Now, however apparently due to Danny's success, those same studios are taking youngsters.

More than half of Szuch's academy students and school students are females, wanting to know more about self defense.

"We find the biggest problem is not necessarily the mugger or rapist, but the guy she knows who won't take 'no' for an answer," Szuch said.

Karate was spawned in China about the 6th century. The name means "empty hand," an exact description since it is a form of weaponless combat not intended to be a sport.

Its greatest development occurred in the 17th century on the island of Okinawa, where a clan of ruling Japanese outlawed possession of weapons and forced the natives to refine the self-defense art virtually underground. The art was further developed later in Japan.

For Danny Wagner, karate is simply fun. He hasn't seen the older kids who used to pick on him, but karate hasn't solved all his problems.

Last week, some teenagers stole his bike. Maybe he should take up track next.

[From the Call and Post]

DANNY WAGNER, 6, IS BIG MAN IN KARATE

One of the big names in Karate circles here may be 6-year-old Danny Wagner, Jr. Just wait about six more months or so says his instructor Ray Szuch at the Cleveland Academy of Self Defense, 2908 E. 114th St.

Danny's father is proud of his son's record. Young Danny has won a Gold Belt and has won two first place trophies in free fighting here in Cleveland.

Owner of the academy, Ray Szuch, says the novelty of Danny Wagner is that at present the youngest Black Belt in the United States is only 9-years-old, and Danny should become the youngest Black Belt in the United States at about 7-years of age at the rate he is presently going.

Danny lives with his father, a divorced employee at U.S. Steel Corp. Cuyahoga Works. Ray Szuch says little Danny Wagner, Jr. has the ability of an adult in his small 6-year-old body.

Danny attends Harvey Rice Elementary School. His father says Danny does average work and is well liked by people in their neighborhood and his classmates.

Mr. Wagner, Sr. has high praise for the Cleveland Academy of Self-Defense and its owner Ray Szuch. Both men are former U.S. Marines although they did not know each other prior to young Danny enrolling in the school.

Wagner praised the policy of the school that has a low $5 monthly fee available to children up to age 12. Wagner said the low cost has made this Karate art available to many kids who ordinarily would not be able to afford the training.

Szuch teaches at four junior high schools, two colleges and 12 high schools. Danny Wagner's instructor is John Gardias.

[From the Press]

KARATE INSTRUCTOR IS GUIDING HIS SON TO A BLACK BELT

Six-year-old Danny Wagner is, in the opinion of both his father and his karate instructor, on his way to becoming the youngest black belt in the country.

This probably won't happen until Danny is 8, according to Ray Szuch, a self-defense instructor for the Catholic Schools, who also runs the Cleveland Academy of Self-Defense, E. 116th St. and Buckeye Rd.

Szuch believes that inner-city youngsters and adults deserve a chance to learn martial arts as much as suburbanites.

His Academy charges what may be the lowest rates in the city. Fees are $5 a month for children and $10 a month for adults. These fees, however, are waived in the case of low-income students.

Danny doubtless rates as Szuch's star pupil.

"He should, without a doubt, be the youngest person in the country to achieve the black belt," said Szuch, 29. "Right now, the

youngest person ever to have won a black belt is a 9-year-old boy in California.

"Danny has just turned 6 and already has his red belt. The next step is green belt, and then black belt. By the time he's 8, he'll undoubtedly have his black belt. He might even have it by age 7," said Szuch.

Szuch's Academy is eight months old. During that time, Danny, who began taking karate when he was 5, has accumulated eight trophies from nine tournaments.

According to his father, Danny Wagner Sr., Danny is "just an average kid except when it comes to karate. He was always entertained by anyone using karate. I think karate on television influenced him a lot.

"I tried enrolling Danny in several schools, but no one would take him because of his age. Then I found Ray Szuch's school. The kid is a real child prodigy," said Wagner, a steel worker who lives at 11313 Continental Ave. His favorite form of recreation is not karate, but weight lifting.

Danny competes in the Pee Wee division for 8 to 11-year-olds. He won his first trophy, according to Szuch, by besting a 9-year-old boy. Szuch takes children as young as 5, and because of this, has inspired the creation of a new division, the Super Pee-Wees, for children between the ages of 5 and 7.

Szuch and his 15 instructors teach karate to 350 boys and girls, and 50 adults. Because of the low fees, Szuch's Academy has operated in the red. Things are looking up, however, and Szuch expects to break even soon.

"I'm not interested in making a profit," he said. "If I can teach 100 kids and break even, I'd just as soon teach 1000 kids and break even.

Szuch is delighted with the performance of his pupils so far. At a recent tournament on the West Side sponsored by the Ohio Judo and Karate Assn., his students took 13 of the 40 trophies up for grabs.

In addition to teaching self-defense mainly for girls classes at 12 high schools, four junior highs, and two colleges. Szuch also teaches self-defense at the Society for the Blind and said he has been discussing with School Board President Arnold Pinkney the possibility of teaching karate to some of the Cleveland Schools problem students.

Szuch said no one should be surprised that someone as young as Danny Wagner can easily master karate.

"Any kid can get involved with karate," he said. "The beauty of it is that physical limitations or size are no problem."

[From the Press]

AYIEEE! PEE WEE IS CHAMP

Danny Wagner Jr., who has created quite a stir in Cleveland by being one of the youngest karate whizzes in the country, recently took first place in the Pee Wee Division in the Ohio State Karate Championship held recently in Columbus.

His instructor, Ray Szuch, director of the Cleveland Academy of Self-Defense, 2868 E. 116th St., said Danny, at age 6, was the youngest competitor in the division. The other Pee Wees were ages 7 and 8, said Szuch.

Danny, of 11313 Continental Ave., will go to Milwaukee for the Grand Nationals sponsored by U.S. Karate Assn. on June 16.

Danny's feat, and his feet, did not go unnoticed by Mayor Perk, who last week congratulated Danny. Danny is also in line for a resolution of congratulations from Council.

CULEBRA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RANGEL) is recognized for 5 minutes.

Mr. RANGEL. Mr. Speaker, 1 year from today, on July 1, 1975, Culebra will be quiet. No missiles will scream through the air of the Puerto Rican island. Bombardment will cease. Finally, after endless reversals and delays, after congressional protests and Senator HUMPHREY'S amendment to the military procurement bill, the Navy has relinquished its hold on the inhabited island of Culebra.

The Navy and the Commonwealth of Puerto Rico announced simultaneously on June 27 that the Navy will discontinue weapons training activities on Culebra itself by July 1, 1975, and on the Culebra Cays by December 31, 1975. This decision has been reviewed and approved by President Nixon.

We will probably never know precisely what induced the Navy to give up its former intransigence. Several individuals, however, deserve special mention for their efforts on behalf of the people of Culebra. Senators HUMPHREY and KENNEDY have been persistent in their attempts to convince the Navy not to use an inhabited island for target practice. In the past few weeks, since the Navy broke off negotiations with the Puerto Rican Government, they have taken stronger action to force a favorable settlement of this issue. Also to be commended are the distinguished delegate from Puerto Rico, the Honorable JAIME BENITEZ, and the special counsel for Puerto Rico and counsel for Culebra, Mr. Richard Copaken, whose knowledge and concern about the fate of this island was a major factor in mobilizing the Congress to take measures to end Navy shelling.

Those of us who have worked for this decision are glad the Navy has finally come to its senses. We regret that this decision was not made earlier. We regret that the U.S. Government has seen fit to stall for so long. It seems absurd to congratulate the people of Culebra on their ability now to anticipate a return to a normal way of life. But for these people, subjected for years to constant bombardment, to the noise and terror of weapons trained on their island, peace and quiet will seem like heaven.

LIFTING THE TURKISH OPIUM BAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WOLFF) is recognized for 10 minutes.

Mr. WOLFF. Mr. Speaker, I have just received word from the State Department that the Government of Turkey has finally decided that it will permit the lifting of the ban on the production of opium poppy in that nation, which had wisely prohibited opium growing for the last 2 years. As many of my colleagues know, I have been deeply involved as chairman of the Subcommittee on International Narcotics Control in efforts over the past months to head off exactly this situation. Indeed, 238 members have joined in introducing House Concurrent Resolution 507, calling on the administration to take definitive action to prevent the Turks from going back into opium production.

Unfortunately, Turkey did not heed the will of the U.S. Congress on this critical question, and the Turkish Government has now seen fit to take action which is a striking insult to all humanity, and a direct attack on the youth of America. Where the source of heroin supply had temporarily dried up, we will now see a resumption of uncontrolled cultivation in the fields: Where the traffickers had been driven out of their obscenely profitable trade, we will now see a resumption of the "French Connection." And where American young people had been given a new chance at making it, we will now see, once again, the wholesale destruction of lives.

No knowledgeable officials of our Government seriously believe that Turkey, even with international assistance, can effectively police this production; and the disastrous step by the Turkish Government is compounded by the fact that production will be permitted in seven provinces, not even the previously predicted four provinces where policing is at least conceivable.

I am at a total loss to understand the chain of circumstances that led to this outrageous act. We know that some demagogic Turkish politicians have been milking this question for all the partisan gain that could be made on the "nationalism" perspective. We know that organized criminal elements and their heroin handmaidens have offered skyrocketing bounties for supplies of illegal narcotics since the ban went into effect. But these reasons are certainly not sufficient to justify an action of this destructive magnitude by a supposedly responsible nation, a member of the world community of nations.

And what of our "agreement" with the Turkish Government, in which we promised the payment of $35.7 million to buy their cooperation in this area where such payoffs should not even be necessary? As of today, our country has obligated $20.7 million of that original figure, of which $15.6 million has already been released to the Turks. Ten million of those obligated dollars were slated as foreign exchange offsets—far more than adequate compensation for the legitimate losses incurred in the Turkish economy by the demise of the legitimate opium market. Another $10 million was to go for crop substitution, $300,000 for control on the last 1972 crop, and $400,000 to pay for experts to advise on the best methods to enter crop substitution in the affected provinces.

We have told that Turkey is an important partner in NATO. In that light, it is appropriate to recall America's experience in Indochina, when a great percentage of American servicemen were drawn into the abuse of narcotics as a result of the ready availability of heroin and other drugs in Southeast Asia. The Turkish action poses a serious and real threat to the security of NATO forces, which will soon be availed of large quantities of drugs, and this situation ultimately puts in jeopardy the security of the United States itself.

Only recently, Admiral Noel Gayler recounted before a hearing of the Foreign Affairs Committee the difficulties faced by our Pacific forces during the Vietnam conflict, from drug abuse resulting in the impairment of the effectiveness of our fighting forces. The meaningfulness of NATO itself may hinge on the renewed

availability of heroin, and we certainly cannot permit any such threat to our security.

In the name of the American people—in the name of humanity—the U.S. Congress must now insist that the administration immediately halt all further aid to Turkey under this so-called agreement, and indeed insist on the prompt return of all funds that have been already released. Furthermore, the President must heed the overwhelming call of the Congress and cease all assistance to Turkey at once, including a withdrawal of his fiscal year 1975 request for assistance to that nation. Employing his authority under the Foreign Assistance Act, he must act to withhold the more than $200 million which has been sought. Certainly the outrage is compounded when we are asked to continue to pay ransom even when we are denied the most basic cooperation from international blackmailers.

Mr. Speaker, I know I am speaking for a vast majority of our citizens when I say that we simply cannot stand for this kind of hoodlumism passing for respectable policy. I urge the Congress to act promptly on House Concurrent Resolution 507, printed below with its 238 cosponsors and I call upon the administration to move decisively to counter the tragic Turkish announcement.

STRENGTHENING THE WORLD COURT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 5 minutes.

Mr. BINGHAM. Mr. Speaker, I am introducing today, together with Representatives FINDLEY, FRASER, and SEIBERLING, five House resolutions designed to encourage the peaceful solution of international disputes. Each resolution proposes specific actions to improve and to increase the utilization of the International Court of Justice, commonly known as the World Court.

These resolutions all state it to be the "sense of the House" that the President should:

First, direct the Secretary of State to submit to the World Court as many as possible of the pending territorial disputes involving the United States.

Second, endeavor to include in future treaties operative clauses providing that disputes arising under such treaties, which are not settled by negotiation, be submitted to the court.

Third, direct the Secretary of State to give favorable consideration to making use of the various chambers of the court, particularly convening of chambers to resolve regional disputes, and to take all appropriate measures to attempt to expand the range of international bodies eligible to request advisory opinions of the court; to seek to improve the process whereby judges are nominated and elected; and to encourage the court to exercise its functions outside of the Hague from time to time.

Fourth, direct the Secretary of State to encourage the maximum use of the procedures for the settlement of international disputes outlined in chapter VI of the Charter of the United Nations, particularly those procedures providing for the reference of legal disputes to the court.

Fifth, direct the Secretary of State to undertake and submit to the House within 1 year a study examining the various ways of granting direct and indirect access to the court and other international tribunals to individuals, corporations, nongovernmental organizations, intergovernmental organizations, regional organizations, and other natural or legal persons. The study also is to include the feasibility of establishing a special committee of the United Nations General Assembly with authority to request from the court advisory opinions on behalf of these groups.

Each resolution requests that the President report to the House in due course what action he has taken pursuant to these resolutions.

Senate Resolutions 74, 75, 76, 77, and 78 passed the Senate on May 20, 1974. These resolutions are identical to the proposed House resolutions except Senate Resolution 74, which includes a recommendation that territorial disputes between Colombia, Nicaragua, and the United States involving three islands in the Caribbean be submitted to the World Court. The comparable proposed House resolution excludes this recommendation at the request of the Department of State which has already negotiated a treaty with Colombia relinquishing U.S. claims to these islands.

ONE LARGE NUCLEAR PLANT SAVES 14 MILLION BARRELS OF OIL PER YEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Illinois. Mr. Speaker, I noted with concern an article by Mr. Ralph Nader which appeared in the June 30 issue of the Washington Star commenting upon nuclear power experience in this country and making several observations concerning modification and extension of Price-Anderson legislation (H.R. 15323). In view of the content of the article, I would like to make some observations of my own for the benefit of my colleagues who may have read the article.

Mr. Nader observes that nuclear power plants are delayed in construction and are not on line at as high an availability factor as would be desired. He fails to point out that these observations apply equally to all large powerplants whether nuclear or fossil fueled. Construction problems, labor availability and equipment run-in experience have had pretty much the same impact on new fossil plants as on new nuclear plants.

He comments upon the cost of oil to produce replacement power when a nuclear plant is not producing electric power. He fails to point out that when operating at a reasonable availability factor one large nuclear plant saves this country the importation of 14 million barrels of oil per year.

He cites risks of a nuclear accident without apparent realization that we must pursue nuclear power as a viable long-range energy source and that every precaution is being taken to assure that our civilian nuclear power record of no injury to the public is maintained. It is possible that geothermal and solar sources may produce useful amounts of electric power but certainly not in the near term and not in the large blocks of capacity needed to meet our long-term needs. Every industrial nation has, after much study, also selected nuclear energy as the most practical solution to the supply of future energy needs.

Mr. Nader in his article notes Sir Alan Cotrell's letter to the London Financial Times which states in part that superhuman engineering is required to make nuclear powerplants safe.

I would like to respond to some of Mr. Nader's characterizations and assertions regarding the extension of the Price-Anderson Act.

To begin with, the Joint Committee is hardly trying to quickly push through a 10-year extension of the Price-Anderson Act. The committee began a year ago to request studies of this act, and held hearings over a period of 6 months, during which we heard testimony from 27 witnesses, including representatives of industry, government, the legal profession, universities, and public groups. Representatives of all interested organizations were offered an opportunity to testify at those hearings.

Mr. Nader says the Price-Anderson Act "severely limits the amount of money damages which would be paid to victims" of a nuclear accident. What the act actually does is to assure the payment of up to $560 million in damages without proof of fault by the nuclear plant operator, and on a prompt basis. The expiration of the act would, in the words of the Legislative Drafting Research Fund of Columbia University, in an independent study of the act, result in a failure to the public in terms of providing either a secure source of funds or a firm basis of legal liability. Victims of an accident would have a difficult legal case to prove and an uncertain and undoubtedly much delayed recovery from a defendant who might very well be financially ruined. Mr. Nader himself points out the financial difficulties of Consolidated Edison. A multi-hundred-million-dollar judgment against a utility in such a condition would certainly not be worth face value.

Furthermore, the Joint Committee has repeatedly pointed out that the $560 million is to be viewed as defining the point at which Congress would undertake an in-depth review of the relief that was needed, rather than an immutable upper limit. Further relief would undoubtedly be provided if necessary, just as for any national disaster.

Mr. Nader also exaggerates the potential consequences of a nuclear accident. A nuclear accident which would harm the public is, first of all, an extremely unlikely occurrence. The committee heard testimony from Dr. Norman Rasmussen of the Massachusetts Institute of Technology who directed a major study of the probabilities and consequences would be no more severe than a major airplane crash, or similar acci-

dents which occur all too frequently in our technological society, but to which society has become somewhat accustomed. An accident of the proportions described by Mr. Nader would happen only once in a billion years, according to Dr. Rasmussen.

Finally, I would like to point out a fact which is continually ignored by Mr. Nader and many other critics of nuclear power. In about 200 reactor years of operation with civilian reactors, there has never been a single reactor accident which has harmed anyone. This safety record is unparalleled in a Nation where accidents result annually in over 100,000 deaths, 8 million injuries, and $30 billion in property losses. The nuclear industry's spotless performance should be hailed as a remarkable achievement.

The assessments of the experts tell us that this past record will almost certainly be continued. The Price-Anderson Act provides for protection for the public even for the one-in-a-million chance of a multi-hundred-million-dollar accident. This is extremely conservative in comparison with the lesser degree of protection which society provides for events which are substantially more likely.

The Joint Committee has determined that legislation extending the act is necessary now. Nuclear powerplants now in the planning and design phases would not receive construction permits until about 1977–78, when the present Price-Anderson Act will have expired. Numerous communications from companies and organizations in the nuclear industry, as well as testimony during the extensive hearings held on this subject, have stressed the importance of early congressional action to remove the uncertainty, and to avoid disruption of an orderly expansion of critically needed nuclear power-generating capacity. Failure to extend the act now would further strain America's critical energy situation. Fossil fuels are in short supply, their prices are soaring, and they create significant environmental problems. Nuclear power must not be hamstrung.

I include herewith Dr. Kouts' letter to the Financial Times of London:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 21, 1974.

EDITOR,
The Financial Times, Bracket House, Cannon Street, London, EC4P 4BY.

SIR: Sir Alan Cottrell has written you advising against the construction of light water reactors in the U.K., on the ground that reliance on the technology of fabrication of the pressure vessels would require an immaculate standard of manufacturing and quality control and a regular in-service inspection of the most rigorous and detailed kind. He describes the required engineering and operational qualities as almost superhuman.

I must differ with Sir Alan's views on the standards and methods that guarantee the reliability of light water reactor pressure vessels. The scientific questions relevant to this issue have been the subject of intensive research in the United States and elsewhere for many years. The research in the United States has occurred at such diverse places as Atomic Energy Commission Laboratories, universities, industrial laboratories, and such independent research institutes as the Naval Research Laboratory and the National Bureau of Standards. I have had the benefit of numerous discussions with the research scientists who have been involved in this work. I have not encountered during these discussions any opinion that would support the pessimistic view Sir Alan presents.

I should like to state briefly a few of the points that form a basis for the confidence felt in this country in the reliability of the vessels made according to our requirements. First, a number of studies have been conducted during the past few years on the historical performance of pressure vessels made for non-reactor use. These have shown uniformly that construction and operation even according to standards much more casual than are required for vessels of light water reactors will guarantee a remarkably low probability that a vessel will fail. Even if pressure vessels for light water reactors were made by these older and less careful methods, we would not expect such a vessel to fail catastrophically over the entire period during which the world will have to depend on nuclear fission as a source of energy.

The supplemental methods we require for nuclear vessels are not superhuman, and they do not even approach the meaning of the adjective. But we consider them to be a logical application of the knowledge gained in our research programs. They reduce the probability of failure even further, by some additional orders of magnitude.

A recent series of tests has been made at the Oak Ridge National Laboratory on seven small pressure vessels fabricated according to the rules required for light water reactors. These were vessels designed for service pressures of the magnitudes used in pressurized water reactors, approximately 140 atmospheres. Pressure vessel codes required a safety factor that led to a true design pressure of 700 atmospheres. Large, sharp flaws were created intentionally in each vessel, at all locations of importance. The internal water pressure was then increased until failure occurred. Though the flaws that were introduced ranged to 5 inches in depth (in a 6-inch thick wall) and 18 inches in length, no vessel failed at a pressure below 1500 atmospheres, a value more than an order of magnitude above the nominal service value and substantially above the design pressure for an unflawed vessel. Though inspections during fabrication and service are intended to ensure discovery and repair of all cracks above a small fraction of an inch in size, the Oak Ridge experiments show conclusively that far larger cracks could be tolerated with no additional hazard.

The technologies of fabrication and inspection are not only transferable, but exportable. Vessels fabricated according to the requirements standard in the United States are now made also in Germany, France, Sweden, Japan, and the Netherlands. We have recently provided all information developed during our research in this field to United Kingdom authorities, for their use.

We have recently supported an extensive study of probabilities and consequences of hypothetical accidents to light water reactors. This study has shown that all but the most unlikely failures of pressure vessels could be accommodated with no hazard to the public.

I have encountered in a number of instances statements to the effect that it would be undesirable for the U.K. to abandon the technology of gas-cooled reactors, on which so much has been expended, and that the course for the future should take advantage of the broad experience generated in this field. These points must be respected, and they must weigh heavily when the balance of arguments is made. The decision as to the choice of reactor for the future in the U.K. must be a national one, based on serving national interests. It would not be proper if we in the United States were to argue for or against any particular choice. But we can provide information that may help ensure that only valid arguments are considered.

We do not regard as valid the view that a superhuman level of technology would be needed to guarantee the reliability of pressure vessels for light water reactors.

Sincerely,

HERBERT J. C. KOUTS,
Director, Division of Reactor Safety Research, U.S. Atomic Energy Commission.

MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS NATION REAPS BITTER HARVEST OF ADMINISTRATION'S FOOD POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, the Nixon administration has announced more bad news for everybody who likes three meals a day.

Farm prices dropped another 6 percent in the last month, but food prices continue to climb—almost 17 percent in the past year.

That means the consumer pays more in the supermarket, but the farmer gets less for what he raises, and has less incentive to produce.

This is the kind of economic nightmare that only the Nixon administration could produce.

What we have today is the bitter harvest of the administration's policy of scarcity in 1972, when it took millions of acres out of production and sold away our surplus to the Soviet Union.

Food production in this country has never recovered from that episode of politically motivated meddling. The administration's misconceived farm policy continues to threaten permanent damage to our food supply system and to the Nation as a whole.

A LAST FOND ALOHA TO BILL BELCHER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 5 minutes.

Mr. MATSUNAGA. Mr. Speaker, I was deeply saddened to learn of the death of a former doorman of this House and a good friend of mine and I am sure of many of my colleagues—Bill Belcher.

Bill left us on June 23, 1974, after enjoying a full and colorful life.

Born in Augusta, Ga., in 1889, Bill spent most of his life in Washington, D.C. He first came to Capitol Hill as a private on the Capitol Hill Police Force in 1947, and from 1953 to his retirement in 1969 he served with unfailing courtesy and distinction as a doorman in the House of Representatives.

I am sure that my colleagues who were in Congress on March 1, 1954, will vividly recall the assassination attempt by Puerto Rican Nationalists. The shooting at 2:32 p.m. was done from House Spectators' Gallery No. 11, and 5 of the 243 Representatives who had just answered a quorum call were struck by bullets and fell wounded to the floor. Other bullets fired at random splintered desks and chairs and even chipped plaster from the Chamber ceiling.

The Members may also recall that Bill

Belcher was the first person on the scene to help seize and disarm the would-be assassins.

Bill visited Hawaii twice, and I truly think he brought back with him Hawaii's spirit of aloha, which was so evident in his relationships with people and particularly in his associations with visitors from all over the Nation who were fortunate enough to encounter him while visiting the House gallery.

Mr. Speaker, I know the Members would wish to join with me in extending deepest sympathy to his widow, Annie Perkins Belcher, and other members of his bereaved family.

To my friend, Bill Belcher, kindly, courtly and courageous, I would like to bid a last fond aloha, as in the words of the well-known song of Hawaii: "Aloha means farewell to thee, Aloha means goodby."

ANOTHER BOOK TO EXPOSE GOVERNMENT SECRETS

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, presumably each Member of Congress has received a copy of the new book entitled "The CIA and the Cult of Intelligence." It is written by Victor Marchetti, former CIA employee. It is published by Alfred P. Knopf. The cover states:

The CIA book that the agency itself tried to suppress. The first book the U.S. Government ever went to court to censor before publication.

It is my understanding that Mr. Marchetti was a disappointed employee who resented his failure to obtain promotion. The book contains classified information which the CIA thought would be damaging to security and to CIA operations worldwide. The CIA offered to negotiate with the author and with the publisher so that he might make his critical points but withhold the names of individuals and places which might be damaging to the Government's interest. These efforts failed.

A suit had been brought to protect the interests of the U.S. Government. The judge ruled with the author on most of the items in controversy, indicating the assumption that he knew more about the requirements of national security than the CIA. In keeping with today's cult, the publisher apparently is interested in sensationalism and profit—not in the good of America, or our relations with the free world.

I call attention to a statement on the book from the office of the Director of the CIA and I enclose it for printing in the RECORD. It is dated June 12, 1974.

I also call attention to a statement from the New York Times of June 29, 1974, by William E. Colby, Director of the CIA, entitled "The CIA and the Public" and I submit it for publication in the RECORD:

CENTRAL INTELLIGENCE AGENCY,
Washington, D.C., June 12, 1974.

STATEMENT FROM CIA ON THE MARCHETTI BOOK

In connection with the publication of a book entitled *The CIA and the Cult of Intelligence,* the Central Intelligence Agency makes the following statement:

The Central Intelligence Agency received a manuscript entitled *The CIA and the Cult of Intelligence* from its co-authors, Victor Marchetti and John Marks, pursuant to the provisions of a permanent injunction ordered by the U.S. District Court for the Eastern District of Virginia, enforcing the Secrecy Agreement made by Mr. Victor Marchetti in connection with his employment by CIA and consequent access to sensitive intelligence matters.

In accordance with that injunction, the Central Intelligence Agency identified for deletion those portions of the manuscript which were classified, were learned during Mr. Marchetti's employment with the Central Intelligence Agency, and had not been placed in the public domain by the U.S. Government. The CIA made a subsequent decision not to contest the publication of certain of these portions, in order to place full emphasis on the sensitive items remaining. The CIA also indicated its willingness not to contest certain portions if they could be rephrased to omit certain names or other specific references to classified material, but this offer was not accepted.

The Central Intelligence Agency did not correct or contest the publication of factual errors in the manuscript. The Agency's decision not to contest the major portions of the manuscript does not constitute an endorsement of the book or agreement with its conclusions.

A publisher's note at the beginning of the book states, "Bold face type is used to indicate passages first deleted and later reinstated." Certain passages in bold face type were not identified for deletion by the Central Intelligence Agency to the authors.

The Central Intelligence Agency has reviewed the manuscripts of books of a number of former employees who had signed secrecy agreements as a condition of employment at the Agency. In all cases, the Agency's role has been solely to identify classified information learned by the ex-employee during his employment. In no case has the Agency attempted to suggest editorial changes of the author's opinions or conclusions. The Agency has not attempted to suggest changes in material that was not true.

[From the New York Times, June 29, 1974]

THE CIA AND THE PUBLIC

(By William E. Colby)

(NOTE.—The following article is adapted from a speech that William E. Colby, Director of Central Intelligence, gave before the Los Angeles World Affairs Council. In it, he alludes to the book "The CIA and the Cult of Intelligence," by Victor Marchetti, who worked for the C.I.A. for fourteen years as a Soviet-military specialist and executive assistant to the deputy director, and John D. Marks, an analyst and staff assistant to the intelligence director of the State Department.)

The Central Intelligence Agency is currently engaged in the courts in an effort to enforce the secrecy agreement that one of our ex-employees signed when he came to work with us. In it he acknowledged that he would be receiving information and agreed to hold it secret unless we released it.

We are not objecting to most of a book he proposed to write, even including about half of the items that we initially identified as technically classified. We are struggling, however, to prevent the publication of the names of a number of foreigners, publicity which could do substantial injury to individuals who once put their confidence in us.

Similarly, we hope to withhold the details of specific operations where exposure could prevent our receipt of further information of great value. In some cases, publication of the fact of our knowledge of a situation can be of major assistance to another nation in deducing how we must have learned of it and shutting us off from it.

I might add that we do not censor our ex-employees' opinions. We have cleared several such books full of criticism in which the authors have been careful not to reveal our sources or operations.

The most serious aspect of this struggle is that if we cannot protect our sources and methods, friendly foreign officials and individuals will be less forthcoming with us in the future, when it could be of critical importance to our country.

No serious intelligence professional has ever believed that George Washington's maxim could be replaced by a variation of the Wilsonian approach to covenants, or "open intelligence openly arrived at."

Another unique aspect of American intelligence is our relationship to Congress. Some of my foreign counterparts around the world display considerable shock when they learn that I appeared in an open hearing before the television cameras as a part of my Senate confirmation.

Many of them would never be subjected to detailed scrutiny by their parliaments, and their identities are frequently unknown.

Some months ago, for example, two journalists were prosecuted in Sweden—hardly a closed society—for revealing the startling fact that their country had an intelligence service.

In our country our intelligence authority stems from an act of Congress, it is subject to oversight by the Congress, and it depends upon funds appropriated annually by Congress.

Congress has provided for itself a way of resolving the dilemma between the need for secrecy in intelligence and the demands of our open society.

Those Senators and Congressmen designated to exercise oversight of the Central Intelligence Agency or review its budgets are fully informed of our activities, inspect us at will, and are given detailed and specific answers to any questions they raise.

Other individual Senators and Congressmen and other committees frequently receive the same intelligence assessments of the world situation as are provided to the executive branch, on a classified basis, but they are not provided the operation details of our intelligence activities. This arrangement was established by Congress and is of course subject to change.

My own position is that the method by which Congress exercises its oversight of intelligence activity is a matter for Congress to decide.

As a related aspect of American intelligence in this open society, I might say something about our relations with the public and the press. We do not conduct a public-relations program; we are not in the public-information business. But we do make as much information as possible available to the news media and to the public. Groups of our citizens, including high school students, have visited our facilities, where we try to respond to their questions about the nature of American intelligence.

Thus we in the intelligence profession are aware that ours must be an intelligence effort conducted on American principles and that it must be more open and responsive to our public than the intelligence activities of other nations.

At the same time, we must respect the essential professional requirement embodied in the National Security Act to protect our intelligence sources and methods. We will consequently continue to arouse wonderment from some of our foreign associates as

to our openness, and concern among some American citizens that we still must keep some information secret, if we are to conduct an intelligence effort at all.

Technical intelligence, the intellectual process of assessment, and our exposure to our constitutional authorities and the public are three major contributions America has made to the intelligence profession.

I do not want to be accused, however, of concealing the fact that intelligence still requires clandestine activity. Our tech. al intelligence and our study and assessment of material openly available throughout the world have certainly revolutionized the intelligence profession in the last twenty years.

But they have not removed the need of our national policymakers for information on the intentions of other powers. They have not removed the need to identify at an early stage research abroad into some new weapon which might threaten the safety of our nation, so that we do not become aware of a new and overpowering threat, especially from a nation not as open as ours, too late to negotiate about it or to protect ourselves.

ARMY ACHIEVES AUTHORIZED MANPOWER STRENGTH

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, Hon. Howard H. Callaway, Secretary of the Army, has reported, with understandable pride, that the Army has ended the fiscal year 1974 at its authorized manpower strength of 781,600 persons. This is an achievement which many had considered impossible to attain. It represents a very notable effort to which the Secretary of the Army gave direction and enthusiastic endorsement and which received wholehearted support throughout the Army program. The Army should receive appropriate commendation for an accomplishment which required dedicated effort at all levels.

I am very glad to submit herewith for printing in the RECORD a statement which has been issued by Secretary Callaway on the accomplishment:

SECRETARY CALLAWAY'S STATEMENT ON VOLUNTEER ARMY SUCCESS

The volunteer Army is a success. Yesterday (30 June 1974) the volunteer Army proved that it was a success by ending the fiscal year at 783,014 compared to its authorized strength of 781,600. This was achieved through a record of enlistments of 199,525 volunteers and the unusually high reenlistment of nearly 58,000 men and women. That's what I call a successful volunteer Army and I am proud to be a part of it.

The volunteer Army is a success by every indicator. Our quality is good and within established standards, our combat readiness is up, we are on target with strength, and our disciplinary rate is within acceptable limits. These accomplishments are clear evidence that the volunteer Army does work.

Thanks to our men and women in uniform and our civilian employees who have all dedicated themselves to making the volunteer Army a reality, we have successfully met the challenges of the volunteer Army. I would like to express my deep appreciation to them for the selfless and imaginative manner in which they performed their duties that insured our success. Their performance is indicative of the highest order of professionalism that has become the mark of the volunteer Army.

I would like to express my personal thanks to the Members of the Congress and the American people for their positive attitudes in responding to the need for maintaining a strong Army without the influence of the draft. We cannot go it alone. Our Army is a reflection of what they want it to be.

Based on preliminary reports there are several features of our success story that are of particular note:

Recruiting. The Army recruited approximately 199,000 volunteers during the past 12 months. Last month (June) the Army took in 25,946 new soldiers and 1,960 soldiers with some prior experience; 67.1 percent of the total June enlistments were high school graduates or the equivalent.

Initial Enlistment. FY 74 initial enlistments were 166,941 men and 15,487 women as compared to 134,000 *true volunteer* men and 8,700 women in FY 73.

Prior to Service Enlistments. Accessions within previous Army experience totaled more than 17,097 men compared to 14,277 for FY 73. These enlistments represent an appreciable dollar savings since they do not incur the added expense of basic training.

Reenlistments. Over one-quarter of Army personnel needs were filled by the 58,000 soldiers who decided to stay in the Army and reenlisted. This indicates increased soldier satisfaction and avoids significant costs for basic and advanced training.

Combat Unit Enlistments. The Army recruited 32,782 volunteers in the combat arms, half of these were high school graduates in the upper mental categories.

Mental and Educational Composition. Within the overall active Army we have a higher percentage of high school graduates than a year ago (73% vs. 71.1%) and a slightly lower percentage of the lowest acceptable mental category (18.0% vs 18.1%).

Minority Representation. At year end, the minority content of the active Army was about 21 percent, of whom 19 percent are Black. This represents an increase of about 4 percent in minority content since end FY 73. This increase is due primarily to enlistments which ran 27.4 percent Black for FY 74, indicating that group's positive perception of the opportunities available in the Army.

Reserve Components. In the Reserve Components, the National Guard ended the year at a strength of almost 413,000 or 9 percent above the average paid drill strength authorized. The US Army Reserve ended the year at a strength of about 238,000 or 2 percent above the average paid drill strength authorized.

Readiness. The Army readiness posture has improved from 4 divisions being combat ready shortly before the draft ended in January 1973 to all 13 divisions ready to fight today.

The volunteer Army has met the challenges of its first year and has succeeded. Now we will use that success, that same drive and enthusiasm to face and overcome the challenges of the second year of the volunteer Army.

GOVERNMENT CREDIT GUARANTEES BAD PRECEDENT

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, the Nation's livestock feeders and their problems are discussed in the June 26 Wall Street Journal under the caption of "Hoofbeats on Capitol Hill."

I am submitting this article for the thoughtful attention of all Members:

HOOFBEATS ON CAPITOL HILL

Our heartfelt sympathies go to the nation's livestock feeders and ranchers, who have lost more than $1 billion since beef and hog prices broke last fall. Our regrets do not extend to having the taxpayers bail the boys out of their financial difficulties, however, even though they are understandably arguing that because the government helped get them in this fix it has an obligation to get them out.

The simple answer to the above is that the government didn't force anyone to do anything against his will, but simply caused general confusion in the industry last year by freezing beef prices. Whenever the government suspends the law of supply and demand in an industry, the industry has to make economic judgments without benefit of a price signal. Operating in the blind, and assuming the public would continue to increase its consumption of meat even at sharply higher prices, the livestock feeders bid the prices of feeder cattle and hogs into the stratosphere. They were wrong.

They now want the government to bail them out with loan guarantees, and the Senate has whipped up an emergency program to that effect. There are at least two good reasons why such a program should not be enacted. One is that credit guarantees further cloud the signals of the market, on the margin encouraging investment in feedlot operations when at the moment there is obviously oversupply. Secondly, it would be a dangerously bad precedent. Every sector of the economy can now put together a case that it has been harmed by government interference in the marketplace, and we would be the first to agree. But can the government guarantee everyone's credit?

The other hot idea the livestock people have been pushing is to reimpose quotas on meat imports. "There is simply no justification for permitting unlimited meat imports into our nation today," says Iowa's Sen. Richard Clark in urging same. Without realizing how foolish it sounds, the Senator also says "the administration can do more to encourage beef exports. Specifically, this country can accelerate negotiations with Canada that will lead to a lifting of the Canadian ban on beef imports." In other words, all those foreigners should stop sending us beef and we have to talk them into buying ours.

It is unfortunate that U.S. trading partners have been restricting meat imports, giving one excuse or another. The real reason is that just as there are now hoofbeats on Capitol Hill, livestock interests the world over have been stampeding their respective governments into protectionist, beggar-thy-neighbor policies. The price slump, after all, has been world-wide.

How nice it would be if the United States were in a position to express outrage at these practices. But the United States itself is the culprit. We're the main consumers of beef in the world; the world price rises and falls chiefly as a result of supply and demand here. During the last big price slump in livestock, Congress passed the Meat Import Quota Act of 1964, signaling the livestock producers abroad that there was only limited access to the biggest market.

When supplies tightened and quotas were lifted in June 1972, the U.S. government thereby invited producers abroad to gear up again for this market. The price freeze last year not only confused the domestic industry, it confounded the foreign producers. How can we now blame them for wanting relief from the selfish and absurd stop-and-go policies of the U.S. government?

Enough is enough. The domestic livestock people, who are big boys, should recognize that government "assistance" is an illusion, that the inevitable effect of loan guarantees or import quotas is simply a deepening of the curves in the beef cycle. With no government interference at all, there would still be ups and downs in the industry. But it would take one of nature's worst catastrophes to trigger a boom and bust cycle of the

kind the government fashioned these past few years.

Instead of caving in to the livestock lobby and starting the cycle again, the government should emphatically renounce these assistance schemes. If it does so with enough conviction, it might be in a position to persuade our wary trade partners that we can be trusted. They'd then have a better chance of resisting the pleas of their livestock interests and the nontariff barriers to trade can be negotiated away. Whether the cowboys believe it or not, the quickest way to get their industry back to health is to get themselves and their horses back on the range, or at least out of Washington, D.C.

SALUTE TO ANDREI SAKHAROV

(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, Andrei Sakharov, the brilliant and eloquent dissident Soviet physicist, is in the third day of a hunger strike to dramatize the struggle for human rights in the Soviet Union. His action parallels that of a group of nine Soviet Jews, who began a similar strike 3 days ago in Minsk. In Moscow, Sakharov reported that he was feeling weak after 48 hours without food, but was heartened by the continuing support he has received for his protest. I would like to join the chorus of acclaim for this brave man. His hunger strike is only the most recent in a series of courageous protests Sakharov has led or participated in for the cause of intellectual freedom in Russia. He and Aleksandr Solzhenitsyn have been, without question, the leading spokesmen for the dissident movement in the Soviet Union.

The timing of Sakharov's protest gives it added significance. It is being undertaken in the midst of an accelerated campaign to round up dissidents who might participate in demonstrations during President Nixon's summit meeting in Russia. One target has been an unofficial seminar planned by Jewish scientists who have lost their posts after applying for emigration. A half dozen of the scientists have been jailed. It may be that Mr. Nixon is receiving assurances of the Soviet government's respect for the rights of dissidents. We can only hope that dramatic protests like Sakharov's will not allow him to forget the gulf between rhetoric and reality in Soviet Russia. The President needs no clearer measure of the commitment of the Soviet people to their own liberty than the self-imposed sacrifices of Andrei Sakharov and others like him.

PUBLIC OPINION AND GOVERNMENT POLICY ON THE DEVELOPING WORLD

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, as the House prepares tomorrow to vote on H.R. 15465, a bill providing for the U.S. contribution to the International Development Association, a measure which I hope the House will support, I would observe that one of the enduring myths of American political life is that the American people will no longer support policies aimed at assisting in the development of the poor countries. I was, therefore, very pleased to read the chapter entitled "Public Opinion and Government Policy" by John W. Sewell and Charles Paolillo contained in The U. S. and the Developing World: Agenda for Action, 1974, published recently by the Overseas Development Council.

This chapter points up quite cogently the central fact that the American public has not become isolationist and that Americans do not want to withdraw from active participation in the world. They regard world hunger and poverty as very serious problems deserving "top priority" attention. Our fellow countrymen do not see the solutions to domestic and international problems as conflicting, but do give precedence to domestic needs when asked to assign first place to one or the other.

Mr. Speaker, it now becoming apparent that the dramatic increases in the price of food, fuel, and fertilizer have severely disadvantaged 40 of the poorest countries, now grouped in a new "fourth world." If untold numbers of people are to avoid starvation in the coming months and, indeed, if we are not to undo the world development effort undertaken in the postwar period, there must be a renewed commitment on the part of the American Government and people. The Overseas Development Council's analysis indicated that the American people will support effective policies that help to meet the needs of poor countries. It is now up to Congress and the executive branch to act.

Mr. Speaker, I insert at this point in the RECORD the text of the chapter to which I have referred:

PUBLIC OPINION AND GOVERNMENT POLICY

(By John W. Sewell and Charles Paolillo)

As the cold war has waned and American policymakers no longer emphasize the entire less developed world as an arena of competition with the Soviet Union or China, U.S. relations with the developing countries have fallen into neglect. Despite Secretary of State Kissinger's acknowledgment that "a world community cannot remain divided between the permanently rich and the permanently poor," there has been a general decline in U.S. governmental support for the development of the poor countries in policy decisions and negotiations on trade and monetary matters, the equitable distribution of food and energy resources, development assistance, and the sharing of revenue from the exploitation of the oceans.

There is a great deal of disillusionment and doubt both in and outside Washington concerning our relationships with the developing countries and the role of aid in their development. Congressman John Brademas was reflecting a very widespread impression when he said that "both Congress and the Executive Branch perceive the American public, if not hostile to, certainly not enthusiastic for, foreign aid."

Many observers have questioned, however, whether this is the true state of public opinion or merely its interpretation by those who work on policy matters in the federal government. Are Americans basically unsympathetic to the concerns of the poor countries and, indeed, uninterested in a whole range of questions that concern America's relations with the developing world? Or does it merely seem so from Washington? What, in fact, are the views of the American public, and what is their impact, if any, on government policy?

Although public opinion may not always be a direct policy influence or constraint, it is always a matter of some concern in the decision-making process. It has political force as long as the policymaker sees in it either encouragement for, or a deterrent to positions he wishes to take. The key to the importance of public opinion in the policy process—and especially in foreign policy formulation—is whether or not the public will basically accept, or strongly oppose, the actions of the Congress and the Executive Branch. Thus any examination of the relationship between American public opinion and American policy toward developing countries requires a look at both the views of a cross-section of Americans and their actual impact on government policy.

Last year, public opinion was one of the factors that affected the successful congressional initiative to reform the bilateral aid program. The members of Congress who took the lead in this reform sensed the widespread public disillusionment with the effectiveness and objectives of official American aid programs, and they designed their bill to focus these programs on the problems of the poor majority within the developing countries. In this particular case, the Congress was responsive to the public's *negative* opinion of the existing porgram. In the future, however, Congress and the Executive Branch will also need *positive* public support for the policies needed to meet the pressing needs of the poor countries. This support will be particularly crucial as Congress deals with new trade legislation, with the world food crisis, and with new programs to help the poor countries meet the higher prices they must pay for imports of energy and food.

WHAT THE PUBLIC THINKS

In October 1972, the Overseas Development Council sponsored a survey to assess American attitudes on governmental as well as private commitments to global development, U.S. foreign aid and trade policies, budget priorities, and a range of other issues concerning world poverty and development.[1]

1. The results of this survey show that the American public has not become isolationist—that Americans do not want to withdraw from active participation in the world. Although Americans lack even a minimal understanding of the dimensions of the grave problems facing three quarters of the world's population, they express a strong sympathy for the problems of the poor abroad. Moreover, when they are provided with information about these problems, their concern tends to increase, and they show a greater willingness to support actions to help solve them.

2. Americans regard world hunger and poverty as very serious problems deserving "top priority" attention, but give precedence to domestic poverty needs when asked to assign first place to one or the other. They show more optimism about the short-run feasibility of alleviating U.S. poverty than poverty abroad. They also feel a more direct responsibility for dealing with domestic poverty.

3. Americans do not, however, see the solution of domestic and international problems as conflicting. Rather, the public's views on all aspects of U.S. foreign assistance appear

[1] For the questions, detailed results, and analysis of this survey, see Paul A. Laudicina, *World Poverty and Development: Survey of American Opinion*, Monograph No. 8 (Washington, D.C.: Overseas Development Council, 1973). This survey, conducted by Peter D. Hart Research Associates, Inc., consisted of one-hour interviews with a representative sample of Americans. To minimize "leading" respondents, the survey relied primarily on open-ended questions and avoided the pro-con, either-or, and multiple choice formats.

to be governed by two major misperceptions: a) Most Americans are unaware of the true dimensions of world poverty as compared with domestic poverty; b) Most Americans also have an inflated idea of how much the United States today spends on foreign development assistance, erroneously believing that the United States is actually spending far more in terms of relative wealth than other rich nations. But when provided with more facts about the true situation, many Americans show willingness to change to favor allocating a greater proportion of the budget for overseas poverty programs.

4. The survey further indicates that cold war considerations, which were the major rationale for providing assistance to the poor countries in the 1950s and 1960s, have lost much of their credibility. The reasons for U.S. foreign development assistance enumerated by those interviewed were overwhelmingly humanitarian and moral. The survey results also clearly show that, as of the fall of 1972 (when the survey was conducted), the increasing evidence of U.S. economic interdependence with other countries had not yet made any significant impression on the public as a reason for assisting the poor countries.

5. Despite these misperceptions and this lack of knowledge, and despite the decline of the cold war rationale for U.S. assistance, more than two thirds (68 per cent) of the public supports the principle of the United States providing foreign assistance to the poor countries, with only 28 per cent opposed. The fact that this support for the idea of furnishing foreign assistance is not at present automatically translatable into support for U.S. official aid programs is not a contradiction, but an expression of public dissatisfaction with these programs as they are now perceived to operate. The public views U.S. private voluntary assistance—which has increased 60 percent over the past decade—as a more reliable form of assistance than U.S. government aid. Furthermore, although the American public knows little about aid programs, it believes that too much of U.S. official aid is wasted in our own bureaucracy, and that U.S. aid does not get to those who need it most in the poor countries. Americans also question the integrity of some recipient governments in handling aid funds.

6. Even when given the opportunity to reallocate funds within the federal budget, a majority of those expressing views (49 per cent) chose to either maintain or increase the amount budgeted for foreign economic assistance. In contrast to this position on foreign economic assistance to the poor countries, the survey results show that a majority (52 per cent) of Americans favor cutting the foreign military assistance budget. The survey further shows that one of every two people regards the U.S. provision of military training and equipment as an ineffective and unacceptable form of foreign aid.

7. The survey shows that Americans do not believe aid should be used as a political tool; they feel that those countries most in need of U.S. economic assistance should be favored in its allocation. Public support is strongest for direct, visible programs aimed at alleviating such basic problems as hunger and malnutrition, disease, and illiteracy. This conclusion indicates that the new bilateral aid legislation passed last year emphasizes the type of aid most Americans favor.

Because the public lacked even a rudimentary knowledge of such issues, it was not possible to measure attitudes on the complex questions of global cooperation on economic, social, or environmental issues. But the responses to questions on trade policy give an indication of how Americans might look at other issues of economic interdependence. The main reason chosen by respondents for favoring freer trade with the poor countries was that trade helps the development of these countries. Thus, trade preferences for the poor countries would meet with genuine public approval, according to the results of the survey. Two out of three Americans would favor a more liberal U.S. trade policy wtih developing countries if American workers adversely affected by imports were protected against financial loss and retrained for as good or better jobs. These results indicate that Americans would support measures helpful to poor countries if they saw their own well-being linked with the development of those countries and if the interests of the poor abroad were understood as not conflicting with domestic needs.

WHY DOES PUBLIC OPINION LACK IMPACT?

If the results of this survey accurately reflect the feelings of a majority of Americans concerning the problems of the poor countries, why have these sympathetic Americans not mobilized themselves for political action aimed at the Congress and the Executive Branch?

The disappearance of the development coalition

In the past, support for the developing countries has been equated with support for the U.S. bilateral aid program. For more than twenty years, public support for aid was mobilized by a triangular partnership at the national level consisting of the Executive Branch (which saw aid largely as an important tool in the cold war), key members of Congress, and a variety of private groups (which basically agreed with the aims of American foreign policy and also supported development aid for various other reasons).

Today this coalition no longer exists. The Executive Branch still favors assistance programs, largely on short-range political grounds, but the vigor of its support has waned. Moreover, congressional support is now fragmented while many continue to support development cooperation, others, reacting against Vietnam and other overseas commitments, no longer wish to see it continued in any form. Many members of Congress and many of the private organizations that used to be part of the foreign aid coalition—and are still potentially the natural constituency for aid to the developing countries—now hold two major reservations that have sharply decreased their support.

First, many question the fundamental aims of U.S. foreign policy, particularly with respect to the developing countries, because these aims appear to them to be tied to the past and largely irrelevant to the problems of the next decade. This criticism, which arose mainly but not exclusively out of our disastrous experience in Southeast Asia, has spawned widespread disapproval of the use of aid for short range political or security purposes rather than for the problems of global poverty. In addition, many believe that in most countries development has made the rich richer and has not helped the poor. With this disapproval has come a reluctance to give financial support to any foreign policy that assists such conspicuously repressive regimes as, for example, the military government of Greece, while cutting off assistance (and, indeed, pressuring international organizations to follow suit) to democratically elected regimes such as the one recently overthrown in Chile. This feeling is heightened in the case of foreign aid by the fact that military and economic assistance are still closely linked legislatively.

The second reservation held by the former development constituency is increasing awareness of our social and economic problems here at home. Many former supporters of overseas development have come to wonder whether Americans should not adhere more closely to the old adage that "charity begins at home." A notable example of this change in opinion has occurred within the American churches and labor unions. One would expect the churches and church-related groups to be providing moral leadership for global development. But today they have virtually ceased to be important supporters of development aid, partly because of Vietnam, but also because they now give primary importance to problems of domestic poverty. American trade unions also have changed their positions on an issue of great importance for the development of poor countries; once among supporters of free trade, many are now pressing for protectionist trade legislation and for measures designed to restrict the overseas investments of multinational corporations. Much of the fear of free trade and investment prevalent among union leaders arises from their perception of the threat to American jobs from imports from the "cheap labor" areas of the world, primarily the poor countries.

As a result of these factors, the views of the private organizations that used to form the backbone of non-governmental support for overseas development in the form of aid has changed drastically. It is now quite clear that the old coalition of private groups cannot be resurrected without an entirely new effort based on a recognition of their fundamental reservations.

The Washington Perspective: An Imperfect Mirror

The disaffection rampant among those who formerly constituted a development coalition has reinforced the view of many policymakers in Washington that the public is hostile, or at least apathetic, toward government programs to help the poor countries—and especially toward all forms of foreign assistance. This belief is certainly one major reason why government interest in maintaining or expanding such programs is so low. And with the waning of the cold war, few people in Washington see any major foreign policy reason for helping the poor countries.

As a result, official development and humanitarian assistance from the United States has been decreasing for a decade. Indeed, the foreign aid debate resembles "The Perils of Pauline." The legislation is constantly in peril and frequently saved from imminent destruction only by the most extraordinary feats. The U.S. share of the total contributions to multilateral aid agencies has been falling, and the United States is seriously behind in meeting its pledges. And the U.S. contribution to the next IDA replenishment has been disapproved at least temporarily by the House. In monetary and trade reform as well, the United States has been lagging behind others in decisions that would assist the development of the poor countries. In fact, aside from specific areas of direct security interest, such as Indochina and the Middle East, what happens in the poor countries of the world seems to play little role in U.S. foreign policy.

It is true, of course, that for all its travails—and they have been considerable—foreign economic aid has been supported, albeit grudgingly, at multibillion-dollar levels by every administration and every Congress since the end of World War II. This fact alone seems to be evidence that, at least on balance, policymakers agree with the public that U.S. development assistance programs should be continued. Nevertheless, there appears to be a substantial discrepancy between the public's basically positive and sympathetic response to the problems of world poverty and development, as indicated by the ODC-sponsored survey, and the reluctant and generally declining response of policymakers to those same problems.

Why should there be such a discrepancy? Why should it be so difficult to translate public opinion into government policy? Part of the answer lies in the nature of public opinion and how it reaches policymakers, and part lies in the way government policy is made.

One reason for the discrepancy is that the way the issues are presented to the public in

a survey is not normally the way they are presented to policymakers for decision. Issues frequently reach policymakers in forms which obscure their impact on the development of the poor countries. Members of Congress generally vote not on abstract questions, but on complex and imperfect proposals which seldom lend themselves to clear-cut choices. Moreover, decisions often affect several disparate issues at the same time. Thus, it is entirely possible for a member basically sympathetic to the problems of the poor countries to vote against a foreign aid bill because he believes, for example, that the kind of development aid proposed will not be effective in helping solve those problems, or because he cannot support the military assistance included in the same bill.

A decision in the trade field is liable to be equally complex. In the ODC-sponsored survey, many more respondents said they would favor freer trade with the poor countries if they could take it for granted that American workers would be totally protected from the adverse consequences of more cheap imports. But members of Congress have no opportunity to vote for or against freer trade in a bill that provides total worker protection; more likely, they must decide whether to vote for or against freer trade with developing countries under a system of partial protection for affected workers and industries. They then must decide if the amount of protection is sufficient—a quite different question from the question posed in the survey.

The influence of public opinion

Public opinion on world poverty and development is relatively passive. Most people simply do not spend much time thinking about overseas development without a stimulus. Of course, the same can be said of most public policy issues, whether foreign or domestic. The main exceptions are issues with such high visibility that they engender spontaneous reaction and issues on which interested groups seek to create a constituency. (The experience of organizations supporting family planning is an interesting example. Despite the general negative feeling toward development assistance, the Congress never has failed to provide substantial amounts for family planning programs.) With no groundswell of public sentiment on most issues involving the poor countries, the best a member of Congress can do is try to get some fragmentary indication from letters, press stories, questionnaires, or just a general sense of public opinion. The opinions policymakers attribute to the public in the absence of any clear signals may often be on the mark, but correct or not, it is the policymaker's *belief* about public opinion that is taken into account as decisions are made.

Knowing that the public is badly informed on these issues, policymakers sometimes decide issues based on how they think their constitutents would decide if they had the same knowledge and experience. In so doing, policymakers can be accused of paternalism, but they can also be credited with insight and leadership. Thus, congressional and executive views on U.S. economic aid programs have been influenced, by such factors as the decision makers' perceptions of U.S. interests in poor countries based on reasons of security or interdependence; fear of over-involvement in other countries' affairs; or familiarity with how both bilateral and multilateral aid programs are actually administered—all of which are important factors that, at best, play a marginal role in the public's opinion of aid.

A third reason for dilution of public opinion is that while a survey is taken in a neutral context, government action, of course, is taken in a political context. Regardless of what a member of Congress believes his constituents feel about a particular issue, he may also try to assess the possibility that his position on the issue will be distorted through simplification, sloppiness, or sensationalism, thereby giving his opponents an opportunity to present his position in a way that might cost him constituent support. Whatever his own opinion, he may feel unable to support the U.S. development assistance program for fear of being accused of voting for "foreign handouts" while his own district cannot get funds for medical care or education.

Yet another reason is that policymakers tend to view the public not as an undifferentiated mass, but as a number of different groups. On any issue they generally do not ask "What does the public think?" but rather, "What are the views of business, labor, minorities, the young, the old, the farmers, the miners, the liberals, the conservatives, the rich, the poor?" Moreover, whatever signals policymakers actually receive from the public are likely to come from either organized groups or well-defined segments of the population. Each of these "special publics" can make its views known in ways the "general public" cannot.

A policymaker generally assesses any group's views according to the group's importance to him, as well as according to his assessment of the particular issue's actual importance to the group. Those whose political support is essential but uncertain carry greater weight than those whose support can be taken for granted, and those whose support is unattainable are often disregarded.

In the case of development aid, many of the organized groups that make their views known are relatively narrowly based (e.g., the population control lobby or the supporters of UNICEF). But since they support their various causes with expertise and single-minded dedication, they can be very effective in their specific areas. Other groups, such as labor unions, are basically interested in other issues, and their expressions of support for development aid (while of some symbolic importance) are often treated as *pro forma* (which they generally are). In short, the public opinion of a carefully balanced cross section of the population is generally not the public opinion the policymaker sees or reacts to.

Influences other than public opinion

But perhaps the major reason for the discrepancy between public opinion and government action is that on world poverty and development issues, public opinion is not the main influence on decisions taken by Congress and the Executive Branch. Another influence is the substance of the decision itself. Even those who must seek re-election make decisions much of the time on the basis of what they think is the best thing to do—regardless of whether the public has expressed an opinion. In the case of overseas development, as on other issues, the strength of a policymaker's own knowledge and opinion tends to guide his decision.

However, public opinion and the perceived merits of the issue do not exhaust the influences on government action. All policymakers to some extent react to other factors. And this tendency is normally greatest in a situation where the policymaker not only has received no clear signal from the public, but has no strong views of his own—a situation which generally prevails on development issues among most members of Congress (as well as among some policymakers in the Executive Branch).

On the single issue of development aid legislation, for example, the policymaker in the Executive Branch considers many factors—bureaucratic pressures, the acceptability of the proposal to Congress, the pressure of time, how the proposal will be received in other countries, the virtues or drawbacks of the proposal as a precedent for legislation in other areas, whether the legislation is consistent with the Administration's foreign policy goals other than development, whether the levels are consistent with total U.S. budget guidelines and a great many other matters—all in addition to his own view and his understanding of the public's view on the substantive merits of the issue. Often the total weight of these other factors is at least as great as the weight of substance and public opinion combined.

Similar considerations crowd in upon the member of Congress, perhaps even more intensely. His decisions are influenced by the other issues that so often are included in foreign aid bills, for example, by end-the-war amendments or anti-impoundment amendments. The position of a member of Congress on development aid to other countries may be partly designed to pressure the Executive Branch on some other issue, such as the reduction of defense expenditures or the increase of funds for domestic programs. He may be heavily influenced by the state of relations between the Executive and the Congress, or by the presence or absence of presidential leadership. He may cast his vote with the committee chairman who is managing the bill—simply because he is a committee chairman himself and has a stake in the committee system. He may vote on the basis of friendship or respect for his colleagues who have taken strong positions. Or he may vote with the leadership of his party because he does not know what else to do. The variations are endless.

INCREASING U.S. SUPPORT FOR DEVELOPMENT

In these circumstances, how can public opinion be brought to bear more effectively on government policy? Clearly policymakers cannot be governed solely by the results of a public opinion survey. And as we have seen, the general public lacks knowledge about almost every aspect of world poverty and development. It therefore even may be valid to ask whether a public that knows remarkably little about the issues *should* exert more influence on policymakers than it already does. The answer is not simple. Public opinion should not be blindly followed when it is ill informed; but neither can it be ignored when it shows a basic concern and sympathy for the problems of the developing countries. Are there ways of getting more knowledge to the public and then bringing the public's more informed views to bear on the policymakers? Can the discrepancy between public opinion and government policy be lessened?

Any answers to these questions lie, as they always have, with those individuals and groups desiring to make U.S. policies more responsive to the development needs of the poor countries. A number of steps can be taken to mobilize the strong basic sympathy for development efforts that exists in this country. Some require major changes in the political and legislative handling of these issues. Others call for a renewed motivation on the part of those in positions of leadership—whether in Congress, the Executive Branch, or private organizations.

NEEDED: A NEW RATIONALE, AN EFFECTIVE PROGRAM, AND A RALLYING POINT

First, the results of the survey underline the need to articulate and disseminate a new coherent rationale to explain why the United States should help the poor countries with their development problems. At the moment, the public believes that programs for this purpose are justified by moral and humanitarian considerations. But the question remains whether this humanitarian motivation is strong enough to withstand the pressures of domestic priorities and parochial nationalism.

What clearly is needed is a new agreement on the goals of American foreign policy. In the years following World War II, most Americans agreed with the twin objectives of establishing the United States as a world power and blunting communist expansionism. Nearly three decades later, as the result of the impact of the Indochina war and our own pressing domestic problems, this consensus has evaporated. How-

ever, there is a new set of reasons, dealt with in other chapters of this report, for assigning to the developing countries an important role in American foreign policy. The fact that rich and poor countries depend on each other and that this interdependence is increasing every year is a powerful self-interest reason for helping poor countries develop. The importance of the survey of public opinion summarized in this chapter is that it uncovers the American public's basic humanitarian concern with the problems of the poor countries. If Americans also come to recognize that they have a real and important stake in helping the poor countries solve many problems of common concern, their already strong sympathy can be more directly translated into effective public support for policies to alleviate global poverty.

But the *sine qua non* of renewed support for American development policy is an effective package of development policies—particularly a development assistance program that will be acceptable to a majority of Americans. As discussed earlier, the ODC-sponsored survey showed that the basic American sympathy for the problems of the developing countries is not the same as support for U.S. government aid programs. Most Americans do not understand the purposes and operation of U.S. development aid programs, and many believe that a lot of aid is wasted in our own bureaucracy or absorbed by elites in the developing countries. Therefore, the first step toward attracting increased public support is to ensure that the aims of our aid programs do not conflict with the public's priorities and that they are clearly understood by the public to be effective in dealing with the problems of the poor abroad. The new development aid legislation passed last year—which focuses explicitly on agriculture, education, health, and population control, and which supports a new approach to development aimed at reaching the poor directly—should enhance the acceptability and effectiveness of U.S. development aid. But if the new approach is to win support, the public must be made more aware of the new program and the progress of its implementation.

The mobilization of public opinion in support of the development of the poor countries is further complicated by the lack of a single, clear-cut policy measure around which public support might be rallied. The traditional vehicle for the mobilization of support has been the foreign aid authorization bill. However, the foreign aid bill is a particularly ill suited measure for this purpose—largely because it combines development aid with military aid and a number of other controversial programs, such as police assistance and aid to Indochina.

Therefore the first step should be to split the development aid and military aid authorizations. Legislative separation of the two has been proposed for many years. But although the Senate has passed separate bills, the House so far has always passed a combined bill, and the split has never been made in the final version of the legislation. The House's traditional position against the split is based both on a fear that economic aid legislation cannot attract sufficient House votes unless it is linked with military aid and on potential problems of committee jurisdiction over a separate military aid bill. But key House members assured senators in last year's foreign aid debate that they were prepared to drop their opposition to separate bills next year.

What other measures can be taken? It is important that the federal government begin to treat all development-related measures in a coordinated way. Development aid, trade and monetary policy, private investment, energy, food, ocean resources, environment, and other fields, all profoundly affect the poor countries. The new development assistance legislation recognizes these interrelationships in calling for the head of the Agency for International Development to chair an inter-agency committee to coordinate all U.S. policies and programs related to the development of the poor countries. It also requires the Executive Branch to submit an annual report to Congress on actions affecting overseas development. This report could be turned into a powerful device to focus attention on American policy toward the poor countries—just as the widely publicized reports of the Civil Rights Commission were so effectively used to call public attention to the plight of minorities in this country.

The Congress should make a similar effort to deal with development-related measures as a whole. At the very least, the Executive Branch report should be the subject of hearings by the House Foreign Affairs and Senate Foreign Relations Committees or, indeed, by a joint committee. The report should serve as the basis for a thorough review by the Congress each year of the range of U.S. policies toward the developing countries. Such a review could be part of the congressional effort to strengthen its role in the making of foreign policy.

NATIONAL LEADERSHIP

The results of the ODC-sponsored survey highlight the importance of national leadership on development issues. Whether in the Legislative or Executive Branch, policymakers have a great deal of latitude to advocate and carry out policies that are genuinely responsive to the needs of poor countries—and to do so without suffering on election day. Such policies would engender no strong opposition and, with the proper leadership, could even gain a substantial degree of positive public support. However, it is also clear that this support will not come about unless positive steps are taken both within and outside the government to mobilize public opinion.

The critical element of a renewed U.S. response to the development needs of the poor countries is national leadership. This leadership, which has been largely missing for at least a decade, is necessary both to educate the public about the critical importance of the complex new issues of global interdependence and to mobilize support through a partnership including the Executive Branch, concerned members of Congress, and private organizations.

Theodore Roosevelt was right in calling the presidency a "bully pulpit." Any issue on which the President focuses attention becomes a question of national policy and national news. As long as the President remains silent on issues affecting the developing countries, these issue will not attract widespread attention. The same is true, to a lesser degree, of the Secretary of State. Thus, for example, Secretary Kissinger's public acknowledgment in late 1973 of indications that the world may be entering an era of frequent food scarcity succeeded in focusing increased public attention on the need for a world food conference. Clearly policymakers bear the vital responsibility of providing leadership on this issue.

A ROLE FOR EDUCATION

The strong correlation between the level of information and the degree of sympathy for the problems of the poor countries demonstrated by the ODC-sponsored survey indicates that informed Americans are more willing to help the poor countries. Therefore, it would be not only sound public policy but also good strategy to inform the public more fully about the dimensions of world poverty and the inadequacy of the current U.S. response (particularly in light of our incredible affluence), and perhaps most important, about the direct self-interest that the United States has in the development of the poor countries in view of increasing global interdependence. Any such campaign, however, will require leadership not only from within our government, but also from the private sector—particularly the media, churches, educators, and voluntary organizations.

The media

The mass media bear a great deal of responsibility in such an effort. Most Americans get their information on foreign affairs from television, radio, or newspapers. Yet the amount of coverage devoted to the three quarters of the world's people living in the developing countries is so small as to be almost insignificant. Thus in early 1973, for example, it was impossible to convince the head of a major Washington television news bureau that this country would be facing an energy crisis. It is indeed difficut to treat the complex interrelationships between the rich and poor countries in the evening news format. Yet these questions are seldom treated even in documentary form or on weekly news and panel programs on either commercial or public television. Newspapers exhibit a similar lack of interest. Even major American papers still assign only one person to cover all of Africa and one to report on all of Latin America, while most papers have no reporters overseas at all. The opportunity for extensive or sophisticated analysis of the progress and problems of the developing areas is severely limited when journalists operate under such handicaps.

Those who are interested in U.S. relations with the poor countries must look for ways to work with the media on these issues. Since development issues are complex and often seem abstract when discussed by specialists, periodic briefings and publications meant for opinion leaders who are not experts in the field can be invaluable. The interests of the poor countries also need to be expressed in relation to issues of immediate public concern if they are to be judged newsworthy by the press. (Thus, for example, a relatively minor information effort in 1973 helped American journalists to become more aware of the implications of the world food situation and resulted in some serious discussion of these issues in the press.)

The schools

Educators also have a responsibility for increasing public knowledge about the problems of the poor countries. Most Americans are "socialized" in the school system. Moreover, the schools reach a vast majority of Americans in a situation where they are highly receptive to new knowledge. Yet our educational system now pays scant attention to the developing countries; a survey conducted in 1968 showed that less than 5 per cent of the one million studying to be teachers were exposed to international issues, let alone development issues.

What can be done? First, educational leaders, at the local, state, and national levels must be persuaded of the importance of these issues so that they receive more attention in our schools. Second, organizations concerned with development—whether private, governmental, or international—must provide up-to-date information in a form usable by teachers.[2] Finally, both the federal government and private foundations must take the initiative in sponsoring and supporting creative programs of in-service and pre-service training, as well as in providing funds to bring new materials and methods to the classroom, to acquaint both teachers and students with the problems of poverty and cooperation in an increasingly interdependent world.

The churches

Organized religious groups also bear a major responsibility for educating their members on the dimensions of world poverty. The results of the ODC-sponsored survey point up the anomaly that while the strong sympathy of Americans toward the develop-

[2] For the ODC contribution in this area, see Jayne Millar, *Focusing on Global Poverty and Development: A Resource Book for Educators*, 1974.

ing countries is based on moral and humanitarian concerns, religious groups have a minimal impact on public opinion on development issues. Yet several factors enable religious groups to take a more active part in development education. Collectively, they constitute the largest single group that lays claims to the moral element in public policy, and they reach great numbers of Americans, including many in positions of public power, or a regular basis.

What can be done by interested religious leaders? First, education on specific development issues should be made an integral part of church programs, particularly those which raise money for activities in the developing countries. Second, church leaders must be willing to speak out on U.S. policy concerning the developing countries. Finally, the churches should use their existing channels to impress upon Congress and the Executive Branch the pressing needs of the developing countries and their importance to the United States.

Voluntary agencies

Organizations such as CARE, Catholic Relief Services, Church World Service, and other voluntary groups also can use their existing programs to increase the knowledge and understanding of Americans on development issues. Voluntary agencies now raise several hundred million dollars a year for use in their overseas programs, largely on the basis of appeals to American sympathy for the plight of the poor. If these organizations were to devote to programs of development education some small percentage (say 1 per cent) of the money raised each year, the impact would be considerable. Such an effort might not only increase American understanding of development issues, but also attract financial support for development.

A NEW COALITION FOR DEVELOPMENT

But more than education is required. For even if the American people acquire greater knowledge and sophistication about world poverty and the importance of the development effort to them, their enthusiasm for political action on a long range problem with no visible impact on their daily lives will still be weaker than on matters which touch them more immediately and directly. While education on development issues may be a good in and of itself, unless it is translated into organized public support, it will have no impact on U.S. government policies.

The existing private organizations which have an interest in U.S. relations with the poor countries need to rejuvenated. The traditional foreign affairs constituency in the United States has largely vanished. Instead of the single "development community" that existed in the postwar period, there now are many autonomous, but sometimes overlapping, groups with an active or potential interest in overseas development. These include not only long-standing and very active supporters such as the League of Women Voters, but also new organizations—some composed of youth, others dealing with issues of social justice, the environment, or population. The business community, which has an increasing economic stake in the developing countries, must also assume an active role in supporting public education. The new, interested public is fragmented, and most organizations are not even in contact with one another, let alone nationally coordinated. National organizations increasingly are finding that they must follow, not lead, their local membership. In addition, the activity and vitality of the organizations at the local level vary widely among cities and regions. Those groups and individuals interested in America's relationships with the developing countries therefore need as a first step to take a hard look at existing organizations and consider the kinds of networks necessary to educate and mobilize public opinion to deal with the changing foreign policy issues and problems of the years ahead.

There is also a need to develop new ways of mobilizing public support by involving individuals in programs for development. A campaign based on the world food situation, for instance, could capitalize on American concern for those in need to help establish a world system of food reserves and to support efforts to increase agricultural production within the developing countries themselves. Such a campaign might also link groups traditionally concerned with hunger and malnutrition overseas with those concerned with the same issues in the United States.

Increasing public support for development—itself a Herculean task—cannot ensure that the right decisions will be taken. A new attempt must be made to strengthen the ability of existing—or new—organizations to bring public opinion to bear on policymakers. The difficult option confronting organizations is whether or not to relinquish tax-exempt status in order to influence the legislative process more directly.

CONCLUSION

Thus a two-pronged campaign is needed. As other chapters of this report indicate, the U.S. government will be making decisions in the near future that may have a profound impact on international relations for some time to come. Urgent attention therefore must be devoted directly to policymakers themselves—to encourage them to become better informed about world poverty and development and to persuade more of them that the welfare of us all ultimately depends on solving the problems of the poor abroad. Such efforts are needed to sustain American participation in global development in the short run.

But the long-range task of educating and mobilizing the public also must be started. Americans know little of the daily misery facing three quarters of the world's people; they know even less about how vital the developing countries may be to our own well-being. The schools, the communications media, the churches, the voluntary organizations, and policymakers themselves, all bear a special responsibility to play a leading role in helping Americans understand the fast-changing world we will be living in during the next decades.

Clearly no attempt to create an informed public opinion or to renew support for a greater U.S. contribution to the development of the poor countries will be easy. But if successful, it could become a significant and constructive influence on government policy, outweighing many of the extraneous factors that now too often shape decisions. The effort should be made. For government policy based on the support of the people is more likely to be not only the best but also the most enduring kind of policy.

PERSONAL STATEMENT

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, I insert in the RECORD a statement regarding six recorded votes I missed recently and an indication of how I would have voted had I been present.

I refer to the following recorded votes:

JUNE 10, 1974

Rollcall No. 284: An amendment to H.R. 15074, the District of Columbia Campaign Financing Act, to set expenditure limits for mayoral candidates at $100,000 in lieu of $150,000 and to set lower limits for campaigns for other District offices. The amendment carried 273 to 56. I was paired for the amendment, and, had I been present, would have voted for it.

Rollcall No. 285: The vote on final passage of H.R. 15074, the District of Columbia Campaign Financing Act. The bill was passed 314 to 17. I was paired for this bill, and, had I been present, would have voted for it.

JUNE 12, 1974

Rollcall No. 290: A vote on House Resolution 1169, providing for the consideration of Senate Joint Resolution 202, to provide for an official residence for the Vice President of the United States. The resolution was approved, 388 to 4. I was paired for the resolution, and, had I been present, would have voted for it.

Rollcall No. 291: A vote on House Joint Resolution 876, to authorize the Secretary of the Army to receive for instruction at the U.S. Military Academy one citizen of the Kingdom of Laos. The resolution carried 294 to 101. I was paired for the resolution, and, had I been present, would have voted for it.

Rollcall No. 292: A vote on Senate Joint Resolution 202, designating the premises occupied by the Chief of Naval Operations as the official residence of the Vice President, effective upon the termination of service of the incumbent Chief of Naval Operations. The resolution carried 380 to 23. I was paired for this resolution, and, had I been present, would have voted for it.

JUNE 13, 1974

Rollcall No. 295: The vote on final passage of H.R. 13839, the International Economic Policy Act. The bill was passed 175 to 168. I was paired for this bill, and, had I been present, would have voted for it.

CAHOKIA, ILL. OBSERVES ITS 275TH ANNIVERSARY

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, this year marks the 275th anniversary of the village of Cahokia, Ill., the oldest continuous settlement in the Mississippi Valley. I am very proud to represent the people of Cahokia, and I wish to extend them my congratulations at this milestone in their community's history.

I would like to insert an article from a special edition newspaper printed for Cahokia's "13 Star Day" celebration on July 6 and 7:

275 YEARS . . . . .

This year the village of Cahokia and the Church of the Holy Family are 275 years old. It would not be possible to trace the beginning of the village without mention of the beginning of the church because they came from the same root. In 1699 when misisonary priests established a mission at what we now call Cahokia they found more than just an opportunity to convert the Indians. A place to worship and the opportunity to talk with the priests were welcomed by trappers who worked in the area. It wasn't long until the trappers began to regard the mission site as home and a village had begun.

Cahokia is the oldest continuous settlement in the Mississippi Valley. We use the word continuous for a reason. Before Cahokia was established there was a settlement called Kaskaskia—but at that time it

was located a great distance north of here and it was not until after the establishment of Cahokia in 1699 that the settlers moved to the place known today as Kashaskia, about 50 miles south of Cahokia. The upright log church building, which has stood since 1799 as a reminder of the history of the church is unique in that it is the only known upright log church in existence.

Even in the beginning the newly formed parish and the tiny village provided a united front in their fight for survival. History records many incidents of Indian attacks and the burning of whole villages but Cahokia and some of the other predominantly French villages escaped much of this treatment. We do not know the reason for this. It was probably due to one of two factors—or possibly a little of both. In these villages the priests were not only spiritual advisors. The church was the center of the social life. The priest was looked to for guidance and help in all areas of community life. They were an active part of the community. The Indians referred to them as "black robes." They represented the white man's God. The superstitious Indians, always fearful of angering one of their own gods for fear of punishment, may have been influenced in their behaviour toward the white man out of the fear that they might anger his god and therefore bring punishment. The other factors that may have deterred enemy attack was the natural easy-going manner of the French people. Their attitude toward the Indian was not so much that he was a fearful enemy or someone to be made a slave instead he was considered a friend. There was even some intermarriage.

In this year as both the Holy Family parish and the village of Cahokia celebrate 275 years of existence we see much the same spirit of cooperation. Parish members work not only for the good of their church but for the whole community as well. Cahokians who do not attend the church point with pride and recite its history to visitors. Much effort has been spent to insure the preservation of the old log church. Next to the log church is the recently erected structure built for the needs of today. The village of Cahokia is doing much the same thing. Its history is being emphasized through the schools, the library and informational brochures and signs but for today's generation it is providing the best possible in safety, education and recreation to make our community a good place to live.

Cahokians, whether they attend a church with much history in the community or one of the approximately 20 that have come in more recent years, should give thanks to God that they have been blessed with, Pride in the past—Faith in the future.

THE FOOD RESEARCH AND DEVELOPMENT ACT OF 1974

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, the ability of our present agricultural technology to keep pace with the growing demand for food in the world is rapidly declining. The resources on which we rely for food are being used almost to their full capacity. Some of our resources—notably the ocean fisheries—are being overused, to the point where they are becoming exhausted. Changing climatic conditions have further reduced the ability of existing methods of food production to keep up with the growing need for food. On top of these constraints on food production, the energy crisis has created a severe shortage of the raw materials needed to produce nitrogen fertilizer, the key ingredient for maintaining existing crop yields.

These limitations on our food producing abilities must be overcome within the next two decades if we are to continue to feed the world's population. Experts on the world food situation predict that we must double current food output within that time in order to maintain current per capita levels of consumption. We cannot rely on existing agricultural techniques alone to accomplish a task of that magnitude. We must develop a new food technology. The only alternative is world starvation on a massive scale.

I recently introduced the Food Research and Development Act of 1974 to establish a Government-sponsored program to develop a new food technology. My bill would focus on new methods of protein and fertilizer production and new ways of processing vegetable protein.

One of the new methods of protein production the bill would support is the use of "microbes" to produce "single-cell" protein. Microbes are the tiny organisms such as bacteria, yeasts, and molds used to ripen cheese, ferment wine, and produce penicillin. People have been eating them for ages, but only recently has their full potential as a plentiful source of protein been discovered. The possibilities for their use as food are revolutionary. The following excerpts from an article in the February 1974 issue of Fortune magazine describe how these miraculous creatures work to produce food:

EXCERPTS

Since the dawn of history, man has been using microorganisms such as bacteria, yeasts, and molds to ferment wine, leaven bread, ripen cheese. The discovery of antibiotics opened a new chapter in this ancient story, and today microorganisms are used as miniature factories to manufacture dozens of commercial products, including amino acids, enzymes, solvents, insecticides, and plant-growth regulators, as well as numerous antibiotics.

But this may prove to be only a beginning. We stand at the threshold of an enormously more sophisticated extension of industrial microbiology through genetic upgrading of organisms. As scarcity of other resources pinches more and more tightly, microorganisms—able to thrive on cheap nutrients—will be called upon to yield an expanding list of products. . . .

The special usefulness of microorganisms derives in part from their remarkable ability to synthesize complex compounds. It would cost too much to manufacture antibiotics by chemical synthesis, for instance. In the words of Carl Djerassi, professor of chemistry at Stanford and head of Zoecon Corp.: "One of the unsolved problems in chemistry is to mimic in the lab the incredible facility and ease with which nature puts highly complex molecules together. We synthesize them in a pathetically difficult way, step by step, one amino acid at a time. Nature does it like a zipper."

There is no universally accepted scientific term that covers all microorganisms. Some scientists like the term "protists" (from the Greek *protista*, the very first). Some use "microbes." To laymen, the word "microbe" is likely to suggest a disease germ, but among scientists it pretty much serves as a shorter substitute for "microorganism." Microbiologists often refer to the creatures they study as "bugs."

By any name, microorganisms differ from any other living thing in the relative simplicity of their biological organization. Many consist of a single cell. Even the multicellular ones do not display the differentiation into distinct cell types that typifies higher plants and animals.

While a microbial cell is simpler than a mammalian cell, it's still exceedingly complex. It can produce more than a thousand enzymes. those busy catalysts of chemical reactions, and it can juggle hundreds of reactions simultaneously. At any one time, however, much of the cell's enzymatic machinery is kept in reserve; only enzymes needed at that particular moment are produced. This versatility enables the microroganisms to respond to a change in nutrients with startling speed, in thousandths of a second. Because of their great adaptability, many microbes can live on a wide variety of organic materials—a great economic advantage, of course.

THE PROMISE OF "SINGLE-CELL PROTEIN"

All of these various commercial uses of microbes have a common element: in each of them, in one way or another, the living organism serves as a producer, a kind of factory. There is another entirely different kind of commercial use, potentially more important than any of those described so far. In this case, the useful product is not some metabolite of the microbes but the microbes themselves—instead of employing them as production workers, you eat them.

Microorganisms offer high protein content, and the protein does not differ significantly from that of other plants and animals. Microorganisms, moreover, are exceedingly efficient producers of protein. Whereas it takes a 1,000-pound steer twenty-four hours to produce a pound of protein, 1,000 pounds of high-protein yeast cells grow into 4,000 pounds during that same span of time. And eating microorganisms is nothing new. For ages, people have consumed yeasts, which are single-celled plants, without ill effects.

Within the past decade or so, oil companies have been conducted research on the use of petroleum fractions as feed for edible yeasts. The leader here has been British Petroleum, along with its French affiliate, Société Francaise des Pétroles B.P. The project began almost by accident in the late 1950's, when British Petroleum was seeking a way to de-wax heating oil to reduce its viscosity. Scientists at the French affiliate found that a type of yeast called *Candida* did the job. They also found the yeast cells to be extremely high in protein.

Since then, B.P. has poured a lot of resources into developing what is now known as single-cell protein—a term invented at M.I.T. The new protein was exhaustively tested on various animals, and found to be both safe and highly nutritious, before B.P. began marketing it as a feed supplement in 1971. It contains as much as 66 percent protein by dry weight and more amino acids than standard protein-feed components such as fishmeal.

Imperial Chemical Industries Ltd. uses a different process to arrive at a similar end product: it raises bacteria on methanol, which it derives from natural gas from the North Sea. Like British Petroleum, I.C.I. is exceedingly optimistic about the future. Both companies envision big single-cell-protein plants dotting Europe, and later the developing nations. Alfred Spinks, research director of I.C.I., predicts that the single-cell-protein business could in the long term "change the shape of I.C.I. to a considerable degree"; it might eventually account for 30 percent of that huge company's business.

The protein plants could be built in conjunction with oil refineries. According to British experts, all of the world's protein needs could be satisfied with utilization of only 1 percent of the oil and gas now being consumed as fuel throughout the world. But

petroleum is not the only nutrient that can be used. The organisms can be successfully nourished with carbohydrates that might otherwise be discarded as waste—corncobs, sugar-beet residues, citrus pulp, molasses, and so forth. A Swedish scientist, Carl-Göran Hedén of the Karolinska Institute, has proposed that huge floating fermentation factories be built to exploit the abundant sources of vegetable matter along the shores of tropical and subtropical lands.

With soybeans plentiful until recently, there was little incentive for U.S. companies to work on single-cell protein, although some oil producers, notably American Oil, are carrying on research in the field. Elsewhere in the world, though, interest has been running strong. Fermentation plants making single-cell protein are already operating in quite a few countries. And scientists from the underdeveloped world are beating a path to such U.S. companies as Fermentation Design, Inc., of Bethlehem, Pennsylvania, a division of New Brunswick Scientific Co. Fermentation Design is working with Mexican and Indian scientists, among others, and is about to deliver an automated pilot plant for production of single-cell protein to the Soviet Union.

DEPENDENT MANKIND

Underdeveloped countries are interested in single-cell protein as human food because eventually it could be produced cheaply compared to meat. There appear to be no basic toxicity problems, even when petroleum is the nutrient. Properly purified, the protein presents no serious health hazards—at least none have been discovered—and has no taste or smell of petroleum.

There are problems of acceptability for humans, and that's where genetic manipulation of the microorganisms is expected to help. For one thing, the relatively thick cell walls of yeast sometimes make the stuff difficult to digest. Research to develop improved strains of yeasts is under way in both France and the U.S. Objectives: thinner cell walls, lower content of certain chemicals that could aggravate such conditions as gout, and larger yeast cells for easier harvesting.

In various ways, then, people are going to be making more and more use of microbes as time goes by. Without realizing it, man has depended on microbes all along, of course. In performing their functions in nature, most notably in the recycling of basic nutrients, microorganisms are and have been essential to human survival. It appears that in years ahead they will become even more so.

PERSONAL EXPLANATION

(Mr. DANIELSON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DANIELSON. Mr. Speaker, on Wednesday, May 29, 1974, I was absent for part of the day during the consideration of H.R. 14449, the Community Services Act, and missed four votes. For the record, I now state how I would have voted on each of these questions had I been present.

Rollcall No. 248: A series of amendments that sought to place control of the Community Action Administration under the Secretary of Health, Education, and Welfare in lieu of the Director, thereby permitting the Secretary to place the program wherever it would function most compatibly with other HEW activities. I would have voted "no."

Rollcall No. 249: An amendment that sought to decentralize the program by requiring that a community action agency be a State or local government or a combination of local governments with a population in excess of 50,000. I would have voted "no."

Rollcall No. 250: An amendment, as amended, that prohibits the use of family planning assistance funds for paying medical expenses in abortion cases. I would have voted "no."

Rollcall No. 251: Passage of H.R. 14449, to provide for the mobilization of community development and assistance services and to establish a Community Action Administration in the Department of Health, Education, and Welfare to administer such programs. I would have voted "yea."

PERSONAL EXPLANATION

(Mr. COUGHLIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. COUGHLIN. Mr. Speaker, due to a malfunction in the electronic voting device, I am incorrectly listed as "not voting" on final passage of H.R. 15544, the Treasury, Postal Service, and General Government appropriation bill for fiscal year 1975 on Tuesday, June 25. I was present for this vote and inserted my card in the electronic voting machine which failed to register my vote. Had I been properly recorded, the machine should have indicated that I voted "yea."

RESOLUTION INTRODUCED TO PUSH WORLD WAR I PENSIONS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, today I am introducing a resolution to provide for a rule on H.R. 14782, to establish a general service pension program for World War I veterans and their widows.

The filing of this resolution is part of an effort to push through the pension bill during this session of Congress. If the resolution is not acted on within 7 legislative days, I will file a discharge petition and seek the necessary signatures of at least 218 Members of the House.

This bill, H.R. 14782, is already cosponsored by 75 Members of the House and I predict that the discharge petition will be successful and that the bill would be brought up for early consideration in the House. It is currently in the Veterans' Affairs Committee where no action has been taken on the legislation.

This legislation is necessary to provide World War I veterans and their widows with benefits comparable to those provided the veterans of every other major war in which the United States has been involved. The veterans of the Spanish-American War and earlier conflicts were provided unrestricted pension programs and the veterans of World War II, Korea and Vietnam were given broad benefits under the GI bill of rights. This bill will provide the World War I veterans some equity at a time when it is most needed.

The issues are very clear. The principal question is whether World War I veterans and their families are entitled to the same pension program as Spanish War veterans. I feel very strongly that they are.

In recent years I have received hundreds of letters from veterans throughout the country expressing their need for such legislation. These people are keenly aware of the fact that the benefits to which they are entitled are much less than those available to Spanish War veterans. They know that the harsh and demeaning welfare-type income reporting requirements with which they must comply are not applied to Spanish War veterans. They also know that they did not receive the educational and loan assistance that veterans of World War II and more recent conflicts received—assistance which was paid without regard to other income.

In short, World War I veterans know that they have not received equitable treatment at the hands of their government. This is something that should be corrected if we are to continue to assert that we have provided for the needs of veterans on a just and fair basis.

The bill would give veterans, with 90 or more days of service, $151.59 per month. There are an estimated 1.1 million veterans of World War I living today and their average age is 79.5 years. Only about 443,000 of these are currently receiving VA pensions of any kind.

H.R. 14782 would:

Extend the existing unrestricted pension program for Spanish-American War veterans to include World War I and Mexican Border veterans and their survivors.

Increase monthly pension rates under the expanded unrestricted pension program—applicable to Spanish-American, Mexican Border, and World War I veterans and survivors—to the following levels:

Veterans with 90 or more days of service—$151.59 or $185.45 if in need of regular aid and attendance.

Veterans with 70 to 90 days of service—$117.73 or $138.04 if in need of regular aid and attendance.

Widows—$125 or $120 with the higher amount paid to widows who were married to the veteran during his term of military service.

Permit eligible veterans and widows to remain under the existing program if that is to their advantage.

TREASURY—AT LONG LAST—MOVES ON TAX AND LOAN ACCOUNTS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, today, the U.S. Treasury—after years of urging from the Congress—finally decided to use the tax and loan accounts for something besides increasing the profits of the larger commercial banks.

The term "tax and loan account" is generally applied to funds belonging to the U.S. Treasury and on deposit in a demand account in a private commercial bank. These deposits come from several sources including payment for Government securities provided by the

bank either for its customers or for its own account and from payments of various taxes such as employee withholding income tax, payroll taxes from the old age insurance program, from retirement taxes, certain excise taxes, and from corporate taxes.

The Treasury announcement indicated that the Treasury will reduce the balance of tax collections left on deposit with commercial banks and place funds in interest-bearing, 30-day time deposits.

Mr. Speaker, this is a step in the right direction and, at a minimum, is a recognition that the tax and loan accounts have been a huge subsidy to the commercial banks. For years, I have urged that the Treasury either require the payment of interest on these deposits that, at times, exceed $10 billion, or require that the banks—in return for receiving the accounts—make loans for low- and moderate-income housing, small businesses, and other desirable purposes. In the past, the Treasury has argued that the banks were providing certain services to the Government and that the tax and loan accounts provided compensation for these services. This has always been fiction and I am happy that today's announcement by the Treasury stated that the earnings on the tax and loan accounts exceeded the costs of the vague "services" to the Government.

Mr. Speaker, I would have preferred a stronger program—one which clearly used these massive tax collections as "carrots" to encourage the commercial banks to move into housing and other areas where credit is so short. It has taken years and years to get the Treasury to move this small step forward and I am hopeful that eventually it will make even more imaginative use of these public funds.

Mr. Speaker, as I mentioned, the Banking and Currency Committee has for many years pursued this issue over the protests of various Secretaries of the Treasury and their illustrious Under Secretaries and Assistants. Back in 1970 and 1971, the committee tried to push the Treasury Department into a more meaningful use of these funds but both Secretary David Kennedy and his Under Secretary, Charls Walker protested.

Mr. Speaker, I place in the RECORD a copy of this correspondence which occurred in 1970 and 1971, along with today's announcement by the Treasury Department:

COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C., November 18, 1970.

Hon. DAVID M. KENNEDY,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: Enclosed is a House Banking and Currency Committee resolution, sponsored by fifteen members of the House Banking and Currency Committee, which is self-explanatory.

In essence, the resolution calls for your office to propose a plan which would provide financial institutions with the use of interest-free tax and loan accounts in return for investments by these financial institutions in various and several programs.

In this light, it is expected that you would appear before the Committee at 10:00 a.m., Wednesday, November 25, 1970, in Room 2128 Rayburn House Office Building.

With best regards, I am,
Sincerely yours,
WRIGHT PATMAN,
Chairman.

RESOLUTION

Be it resolved: That the Secretary of the Treasury is authorized and directed to prepare a United States Government Deposit Public-Interest Program, with appropriate draft legislation, to be forwarded to the House Committee on Banking and Currency no later than March 1, 1971, providing for the deposit in insured financial institutions of a specified percentage of the average United States tax and loan account balances in accordance with their contribution, actual or proposed, to low- and moderate-income housing programs; small business assistance; depressed area assistance; guaranteed student loans; state and local government financing; and such other public-interest programs as the Secretary of the Treasury may determine.

Representatives Wright Patman, William A. Barrett, Leonor K. Sullivan, Henry S. Reuss, Thomas L. Ashley, William S. Moorhead, Fernand J. St Germain, Henry B. Gonzalez, Joseph G. Minish, Richard T. Hanna, Tom S. Gettys, Frank Annunzio, Thomas M. Rees, Frank J. Brasco, and Michael J. Harrington.

DECEMBER 29, 1970.

Hon. CHARLS E. WALKER,
Under Secretary of the Treasury, Treasury Department, Washington, D.C.

DEAR MR. UNDER SECRETARY: On November 18, the Secretary of the Treasury received a letter, along with a resolution signed by fifteen Members of the House Committee on Banking and Currency, requesting that the Treasury Department prepare a program with appropriate draft legislation, if necessary, providing for the deposit of United States tax and loan account balances in such institutions which make a contribution towards solving some of our nation's problems, including housing, small business, student loans, State and local development financing, etc.

You, Mr. Under Secretary, appeared before the House Committee on Banking and Currency on November 25, 1970, to discuss this resolution. At that time, you indicated that the Treasury Department has always cooperated with the Committee and that you would do so in this instance.

Therefore, it would be appreciated if your office would draft a program, with necessary legislation if necessary, which would effectively carry out the objectives of the resolution, a copy of which is enclosed for your information. It would be appreciated if your response will be completed by March 1, 1971.

Sincerely yours,
WRIGHT PATMAN,
Chairman.

COMMITTEE ON BANKING
AND CURRENCY,
Washington, D.C., June 1, 1971.

Hon. CHARLS E. WALKER,
Under Secretary of the Treasury,
Treasury Department, Washington, D.C.

DEAR MR. UNDER SECRETARY: You will recall that on November 25, 1970, you appeared before the House Committee on Banking and Currency to testify on a resolution which, if enacted, would provide for the deposit of U.S. tax and loan account balances in institutions which make a contribution toward solving some of our nation's problems, including housing, small business, student loans, State and local development financing, etc.

Following the hearing, you received a letter on December 29, 1970, accepting your invitation to request the Treasury to draft legislation which would effectively carry out the objectives of the resolution. In this letter you were requested to supply the draft by March 1, 1971.

This date has long since past and it would be appreciated if you would inform me of the status of this request.

Sincerely yours,
WRIGHT PATMAN, *Chairman.*

THE UNDER SECRETARY
OF THE TREASURY,
Washington, D.C., June 9, 1971.

Hon. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your letter of June 1 has prompted us to review again the proposal to use Treasury tax and loan account balances to further social goals. We have done so, and have again concluded that it is impractical to attempt to use the tax and loan account system for purposes other than that for which it was originally designed—namely, to provide for a smooth flow of money into the Treasury with the least adverse impact on the total economy.

The system has been improved over the years to make it more efficient and thereby reduce the cost of handling the government's financial affairs. Between 1962 and 1969 the average monthly operating balance was reduced from 62 percent to 30 percent of total monthly disbursements. At the same time the average life of deposits in tax and loan accounts was reduced to 11.2 days in 1969 from 33.3 days in 1963.

Attempts to impose a conflicting objective, regardless of how desirable from a social standpoint, would decrease the efficiency of the system—thereby increasing government costs. Moreover, the volatility of these accounts would preclude their use in long-term investments such as housing, student loans, and other long-term commitments.

We have, therefore, concluded that changing the tax and loan account structure to meet two diametrically opposed objectives is impossible.

Sincerely yours,
CHARLS E. WALKER.

REPORT CONFIRMS NEED FOR TAX AND LOAN ACCOUNTS

Tax and loan accounts of the Treasury Department continue to be of major importance as a tool for monetary management and as a highly efficient collection system, findings of a report released today showed.

The report concluded, however, that with the higher level of interest rates prevalent in recent years, the implicit costs to the Treasury of tax and loan accounts has risen substantially beyond the value to the Treasury of the services that have been inherently or traditionally associated with such accounts.

The Treasury report is based on a study that included analysis of responses to a questionnaire sent to 600 banks, 300 with the largest Treasury tax and loan accounts and a sampling of 300 of the remaining 12,700 banks.

Basically demand deposits, left with banks for short periods at no interest, the tax and loan accounts represent tax payments by business concerns to their own banks, which in a bookkeeping transaction, debit the business customers and credit Treasury's balances.

While tax and loan accounts should be retained, said the Treasury report, means should be developed (1) for employing a portion of the funds in ways that provide added returns to the Treasury, and (2) for

compensating banks for a limited number of services performed by fees paid from appropriations.

Legislation is required in both instances, to make possible the most efficient employment of Treasury cash in interest-bearing assets, and to provide appropriations for payments for certain services performed by financial institutions, according to the report.

As an interim measure, pending Congressional action on investment authority, it is Treasury's intention, said the report, "to pursue vigorously the two avenues that are clearly available without legal or regulatory changes:

"First, we will intensify our efforts to increase our balances at the Federal Reserve Banks to the extent consistent with money-market stability; conversely, this will decrease our balances in tax and loan accounts. This necessarily means that the Federal Reserve System will have to compensate for greater swings in the Treasury balance at Federal Reserve Banks through existing techniques such as open market operations.

"Second, we will experiment with placing funds in 30-day time deposits."

As for how banks should be compensated for services they perform for the Government, the report said that nearly all banks included in the study had earnings value well in excess of the cost of services provided, "but some far more than others, even when the average tax and loan balances were comparable in size." There was no consistency, said the report, in the relationship between the earning value of tax and loan accounts and the scope or volume of services provided by banks for the Government, "whatever services might be considered in the Government's behalf."

In order to adjust the differences, the report suggested that certain services rendered by banks which Treasury believes should be compensable, but which are not directly related to the existence of the tax and loan accounts, might be compensated for from appropriated funds.

For those services that are within the Treasury's area of responsibility, the belief was expressed that only those relating to savings bonds should be compensable through appropriation—specifically issuance of savings bonds, redemption of savings bonds, and exchanges of "E" for "H" bonds. Services directly related to the tax and loan account can appropriately be compensated for through the residual earnings value of the accounts, the report said.

In the nearly ten years since the last study of the subject, the amount of taxes flowing through tax and loan accounts has quadrupled, the size of account balances has risen, and interest rate levels have been higher (reaching two peaks when rates were the highest in U.S. history), thus providing significantly greater earnings potential on tax and loan balances. At the same time, the services banks have provided the government have declined.

THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, today it is my privilege to bring to my colleagues' attention the opening statement of the Secretary-General of the United Nations, Kurt Waldheim, at the third United Nations Conference on the Law of the Sea, which began on June 20, in Caracas, Venezuela.

As a member of the congressional delegation to that Conference, I have been following reports of the early sessions with interest. The proceedings thus far are cause for some optimism. Early press reports indicate that agreement on the territorial waters issue may soon be reached. As this is one of the major questions facing the delegates, the possibility of a successful conference is enhanced.

Brief though it is, Secretary-General Waldheim's statement clearly sets forth the recent developments leading to the need for another Law of the Sea Conference, and I commend it to the Members' attention:

TEXT OF STATEMENT BY SECRETARY-GENERAL AT OPENING OF THIRD UNITED NATIONS CONFERENCE ON LAW OF SEA

Following is the text of a statement by Secretary-General Kurt Waldheim at the opening today of the Third United Nations Conference on the Law of the Sea in Caracas, Venezuela:

It is an honour and a source of great pleasure for me to address this Conference, which has just opened under the distinguished Presidency of Ambassador Amerasinghe. At the outset I wish to express on behalf of the United Nations my deep appreciation of the generous effort by the Governmnet of Venezuela which makes it possible for us to meet here. Through this effort, and in the cordial words of welcome just expressed by His Excellency the President of the Republic, Venezuela has demonstrated the importance which it attaches to the work about to proceed. We are grateful to the Government for its determination and dedication to this most important and challenging undertaking of the international community. The invitation to meet in Caracas is consistent with the interest displayed by the Latin American region as a whole in the Law of the Sea. It is also in keeping with the signal contribution which the countries of this region have made to the development of the law and to the preparatory work for the Conference.

Considering the brief period of time available to the Venezuelan Government, we can only express our admiration for the work of the Preparatory Commission and of all the others who laboured to adapt these buildings to the needs of the Conference. I also wish to record my gratitude to them and to the Government Commission for the close co-operation given to the Secretariat in the course of the preparations.

In addressing this Conference with its profound significance for the orderly use of the natural resources at the disposal of mankind, I should like to emphasize the outstanding feature of the recent Special Session of the General Assembly on raw materials and development. That session dramatically underlined the fact that we inhabit only one earth; we became conscious of the world as one world, of the finite nature of our resources, and of the overriding need to reduce the economic disparities between nations. Both the Special Session and the preparatory work for this Conference have clearly demonstrated that many earlier assumptions must be reviewed.

Today we are aware that the great problems with which humanity is confronted cannot be solved on a national level alone. For many countries this is not possible because of their lack of adequate resources. For others the same is true because these problems are interconnected with other issues which require the active co-operation of many countries. This year groups together within a relatively short time the Special Session on Raw Materials, the Conference on the Law of the Sea and the forthcoming United Nations Conferences on Population and Food. This is clear proof that the international community is ready to adopt an approach that gives importance to each single issue while not losing sight of their interconnected nature. In all these fields the United Nations has been chosen as the common forum for international action. It gives the United Nations the opportunity and responsibility to create a new global strategy based on all elements essential for the survival of mankind.

It was in fact that context of the Law of the Sea that the General Assembly of the United Nations first recognized this dominant fact of our time, with the realization that all the many problems affecting the uses of the sea and the sea-bed can only be tackled together. This comprehensive approach presents many difficulties but it is the only one that can provide practical and lasting solutions.

When the Charter was written and when the United Nations family of agencies and programmes was being formed, there seemed to be comparatively little reason to look at the vast field of marine questions as a whole. Fisheries, shipping and transport and sea-bed development, for example, were dealt with by different organs or agencies.

The decision of the General Assembly in 1970 to call for the present Conference marked a significant departure. The Assembly realized that the many diverse problems of ocean space were indeed related, and must be considered as a whole if real solutions were to be found and that this entailed extensive political negotiation. Agreement on a wide range of issues was vital to the future of mankind.

The work of the Sea-Bed Committee leading to the Declaration of Principles governing the sea-bed beyond national jurisdiction had made it clear that the delimitation of that area could only be settled together with all other limits involved. It was therefore no coincidence that the Declaration and the decision to call for a new and comprehensive Conference were adopted by the Assembly at the same time. The tremendous diversity of interests between States that was shortly thereafter revealed in the preparatory work and reflected in the various proposals, showed the realism of the decision of the General Assembly to adopt this comprehensive approach.

Many factors made this Conference imperative. First, there were the problems unsolved at the 1958 and 1960 Conferences. Then there was the dissatisfaction felt with existing law, stemming in part from the fact that many States which have since acceded to independence had no role in shaping that law and did not feel that it conformed to the realities of the new international community. A crucial element was the very rapid progress of technology and the rising demand for resources. These produced the new ability to exploit minerals on the ocean floor, a development which was not anticipated in 1958. It led to the rapid advance made in drilling at ever greater depth for undersea hydrocarbons. Growing world demand caused also an increase in fishing with modern, industrialized fleets, and intensified maritime transport, particularly in the form of supertankers. At the same time these developments aggravated the menacing problems of the pollution of the seas. Finally, most important of all in bringing about the Conference has been the mounting pressure on world resources and the awareness that the sea-bed and the oceans contain some of the largest unexploited reserves available to man. The calling of this Conference lies in the realisation that these resources must be developed in an orderly manner for the benefit of all and contribute to a

more equitable and workable global economic system.

The range of problems which confront you at this Conference is hard to parallel in complexity and in the very concrete nature of the national and international interests at stake.

Our world is passing through a period of great and rapid change. Many of the divisive problems and issues which have characterized international relations for so long are receding. The future appears to hold great promise. It is of the utmost importance that in the process of change we are constantly on guard so as to anticipate new problems and issues that might divide us Change is imperative but it must be accompanied by greater diligence to maintain the stability necessary for real progress. We know about the great potential for disputes inherent in the subject matter of this Conference—an awareness that has prompted our common effort. It is therefore my profound conviction that this Conference must succeed, for we must not replace old quarrels on land by new quarrels at sea. A new balance has to emerge from this Conference—a balance which enables us to exploit the riches of the sea while preserving the interests of all.

In 1958, most of the main problems involved in the law of the sea appeared to be settled, and yet only a decade and a half later we are assembled at another conference on the law of the sea. We must avoid repetition of this experience. We must try to ensure that the new Law of the Sea will endure as the foundation of man's uses of the sea. The number of ratifications of the Convention to be drawn up is clearly going to be a major determinant of the viability of the results of this Conference. But it will not be the only one. Clearly, we should seek a Convention which settles issues without in the process creating new ones. Inevitably, however, the international community will continue to evolve and our uses of the sea will continue to develop and diversify. Difficult as the present negotiations may be, it is prudent to assume that the problems of negotiating another Convention at a later date would be still greater. The Conference therefore might well consider whether some institutional means should be created whereby, within the framework of the new Convention, common measures could be agreed upon and taken as necessary from time to time so as to avoid obsolescence under changing world conditions. A periodic assembly of States who are parties to the Convention, to review common problems and to develop ways of meeting any difficulties produced by new uses of the seas, would be one possibility to consider.

I suggest this addition to the many intricate and difficult problems already before you because I feel such an approach might be helpful in overcoming difficulties arising at a later stage. The Law of the Sea was one of the principal areas in which international law in general was formed. It is basic to the State system on which the United Nations rests and which, with the success of decolonization, has spread around the world. It must also become a vital element in creating the new forms of international co-operation on which the future of mankind will depend.

If we face a great challenge, we also have a great opportunity. I am confident that this Conference will seize that opportunity.

POSTSECONDARY SCHOOL ACCREDITATION NEEDS IMPROVEMENT

(Mr. PETTIS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PETTIS. Mr. Speaker, for the past several days, my good friend, Congressman AL BELL, and I have been calling to this Chamber's attention a series of Eric Wentworth articles exploring the growing consumer frauds that have been perpetrated by postsecondary educational institutions throughout this country.

The victims of these fraudulent practices include high school graduates, veterans, and in one case, a 71-year-old woman. All sought to better themselves through education—an integral factor in the traditional American success story. Instead, many found themselves fleeced by slick con operations, expected to pay for courses and training they had never received or could not use.

Today, I am inserting the last of Mr. Wentworth's articles dealing with the accreditation problems that are, for the most part, the reason such fraudulent practices occur.

The Postsecondary Education Consumer Protection Act which Mr. BELL and I have introduced is designed to tighten up accrediting procedures and head off continued abuses by unscrupulous postsecondary institutions.

I trust the efforts to call both the problem and this bill to the House's attention will not go unrewarded. There is an unqualified need to take action now. I hope that need will be met:

[From the Washington Post, June 26, 1974]

FOR THOUSANDS, ACCREDITATION HAS SPELLED DECEPTION

(Last in a series by Eric Wentworth)

Back in the 1960s, an outfit calling itself Citizens Training Service, Inc., set up shop in Danville, Va., and took in nearly $1 million selling bogus correspondence courses before being shut down for mail fraud.

A North Carolina farmboy with only a sixth grade education was one of its 10,000 victims, who were assured the courses would get them Civil Service jobs. A 71-year-old woman already past normal Civil Service retirement age was another.

To avoid a fleecing, consumers these days are advised to sign up only with schools accredited by a government-recognized trade association. Thus the Council of Better Business Bureaus recommends, "One of the best and easiest ways for you to protect yourself when selecting a school is to see if the school is accredited."

And both the Federal Trade Commission in a consumer education brochure, and the Veterans Administration in a bulletin on correspondence courses, state that accredited schools necessarily meet the minimum standards of their respective associations.

Given such advice, consumers may predictably assume that all accredited profit-seeking schools will treat them fair and square. Recent experience, however, has repeatedly shown that the present accrediting system keeps consumers in the dark about school abuses that could victimize them.

True, the trade groups' accrediting commissions have fostered generally higher standards of teaching, physical facilities and business practices than would be likely to exist in their absence.

But still they have failed, in case after case, to protect young consumers from being enticed into debt with federally insured student loans by schools that short-change them, or from wasting their GI Bill benefits on costly, blind-alley correspondence courses.

For thousands of veterans and other consumers, accreditation has in fact spelled deception.

ACCREDITING GROUPS

The accrediting groups, to which the U.S. Office of Education grants formal "recognition" and delegates many regulatory duties, aren't solely to blame, however. They are only part of a mixture of public and private agencies that are supposed to be watching out for consumers' interests. These agencies have generally scanty resources, restricted powers, misplaced priorities, conflicting interests and often mutual suspicions.

"The blame for this situation cannot be directed in any one direction," Judith Roman of the Greater St. Louis Better Business Bureau asserted after the collapse of Technical Education Corp., last fall stranded thousands of students. "In fact, it is the very nature of the program which diffuses the guilt."

"The individual schools are guilty, of course," she continued. "But, they are accredited and those accrediting commissions are responsible for policing the schools and their policies to maintain standards.

"If the accrediting agency falls short, then it is the responsibility of the Office of Education . . . to remove that agency from their approved list."

Accreditation of education's profit-seeking sector is largely in the hands of three groups, each of which accredits—and counts as a member—only a fraction of the schools in its field. They include the National Home Study Council, which accredits about 160 correspondence schools; the Association of Independent Colleges and Schools, largely in the business-secretarial field; and the National Association of Trade and Technical Schools, which accredits about 400 schools teaching everything from computer programming and welding to fashion merchandising. (Since some companies own numerous schools, these totals overstate the number of school owners.)

The possibly 600 correspondence schools, 700 business-secretarial schools and 3,000 trade and technical schools which aren't accredited may be worse—or in some cases better—than accredited institutions.

Unaccredited schools may be too new to qualify, may have sought accreditation and so far failed, may have held accreditation and then lost it, or—since it's a voluntary system after all—may have simply wanted to avoid the fees, red tape and restrictions that accreditation entails.

For those who want it, accreditation has a number of advantages. It's a mark of respectability, helpful in recruiting, especially since consumers are advised to rely on it. In many states, accreditation brings eligibility for GI Bill enrollments with fewer restrictions—as well as exemption from some or most state licensing regulations. And, with some exceptions, accreditation is a requirement for enrolling students under the federally insured loan program.

DOUBLE ROLES

The three industry groups play double roles. On the one hand they are trade associations, protecting and promoting their members' images and interests on Capitol Hill, with various federal and state agencies, and wherever else they can be helpful.

On the other hand, to perform accrediting functions, they have created commissions which operate with somewhat tenuous independence. The commissions are charged with enforcing numerous standards which—on their face—appear to go far toward assuring that accredited schools are educationally sound, financially stable and ethical.

Unfortunately for consumers, however, too many accredited schools have standards—and gotten away with it for months, even years.

When federal auditors last year challenged the president of Technical Education Corp., Charles R. Johnson, for failing to abide by National Home Study Council refund standards, Johnson insisted those standards were

mere "recommendations" which his school could—and did—reject.

Practically all the school problems described in these articles, in fact developed at accredited schools.

The basic problem: industry accrediting groups are neither inclined nor properly equipped to act as policemen despite the regulatory responsibilities they've had delegated to them.

"Accreditation," said William A. Fowler, National Home Study Council executive director, "is not really designed for day-by-day enforcement of individual rules."

"We would rather be helping schools to upgrade their programs," explained Dana Hart, executive secretary of the Association of Independent Colleges and Schools' accrediting panel, "than telling them what not to do."

To consumers and other outsiders, a school either is or isn't acredited. From the vantage point of the accreditors, however, matters are less clear-cut.

STIPULATIONS APPLY

Bernard H. Ehrlich, counsel for both the home-study and trade-and-technical groups, said many schools are accredited "with stipulations"—conditions, based on sometimes serious deficiencies, which they are told they must satisfy to stay accredited. "If you try to explain this to the public," Ehrlich insisted, "how would the public understand?"

All three groups have procedures, both formal and informal, for handling problems that arise with accredited schools. If a complaint about a student or one of the school's competitors seems minor, an accrediting-group official may try to work things out with a phone call or letter. When the problem appears serious, particularly when the Office of Education wants action, the accrediting commission may launch a formal—and confidential—investigation.

Investigations typically include inspecting the problem school with a team comprising officials from other schools and an accrediting group representative. Depending on the team's makeup and other circumstances, such inspections may be searching or superficial.

A federal official who accompanied one National Home Study Council team's visit to a problem school on the West Coast last year reported finding the team inadequately briefed on what to look for, one member arriving hours late, the school's required self-evaluation report "totally inadequate," and the inspection's five-hour duration insufficient.

Many months may elapse from the time an accrediting commission launches an investigation until its final decision to withdraw a school's accreditation. The Home Study Councils commission, for example, decided to investigate Technical Education Corp. in May, 1973, after learning from the Office of Education—which had suspended insuring its students' loans—that the St. Louis school was in trouble.

INSPECTION TEAM

But commission procedures allowed Technical Education time to prepare and submit its self-evaluation report and pay the inspection fee. Hence, the inspection team's visit wasn't scheduled until October.

It was too late. The day before the visit, Fowler recalled, the Home Study Council got a phone call from St. Louis: Technical Education—out of cash—had collapsed. (Two days later, at a hastily called meeting, the accrediting commission accepted the school's resignation from accreditation to prevent further delays in decision making.)

At least the home study accreditors' investigatory wheels had been turning. William A. Goddard, executive director of the trade and technical schools association which also accredited Technical Education, said he hadn't been aware that the school was in trouble before it closed.

"The last financial statement we got from them was not the strongest," Goddard said, "but it indicated the school would last . . . This was one of the schools we though we knew."

The three accrediting groups, while relied on by the Office of Education to regulate their schools, are nonetheless private agencies subject to all sorts of legal constraints. This was dramatized four years ago when Macmillan, Inc. (then Crowell Collier and Macmillan) sued the Home Study Council.

The giant publishing concern claimed that the council had violated due process by denying reacreditation to its six correspondence schools—among them LaSalle Extension University—and by publicizing the denial. Macmillan also challenged the Office of Education for recognizing and delegating duties to a trade association.

The case was settled out of court. Macmillan set about upgrading its educational programs, while the Home Study Council agreed to continue the schools' accreditation and revise its own procedures. Though the council and its accreditors were thus spared prohibitive legal costs, the public lost a chance for court rulings on some basic issues.

MACMILLAN SUIT

The Macmillan suit, other legal challenges to accreditation and pressure from the Office of Education led all three accrediting groups to build more due process into their decision-making. They developed provisions for school owners to respond to charges, for hearings, for appeals—and for bans on publicity until a final decision to withdraw a school's accreditation.

These provisions, as followed today, tend to protect school owners from ill-considered decisions, protect accrediting groups from more frequent lawsuits, protect the Office of Education's continued reliance on private accreditation—and leave student consumers more in the dark than ever, over longer periods of time, about serious school problems.

"If we were free from legal liability," said Richard A. Fulton, executive director of the Independent Colleges and Schools Association, "we would be delighted to run up the flag and say we're investigating the problems of X, Y and Z schools." Fulton conceded, however, that his group has never sought such immunity.

Even when an accrediting body does withdraw a school's accreditation, it holds publicity about the decision to a minimum. "It's up to us," Fulton insisted, "to put the scarlet letter on the forehead of a school."

Often schools which have their accreditation withdrawn have already gone out of business anyway. Opinions differ on whether withdrawal can be fatal to those still operating, but certainly schools heavily dependent on federal student aid are hard hit when withdrawal costs them their eligibility. In any event, accreditors generally appear more inclined to prod away at a school in hopes it will eventually clean itself up than to use their ultimate weapon and kick it out of the club.

If the accrediting groups could be more aggressive in protecting the consumer, so could the Office of Education. In its statutory role of "recognizing" individual accrediting groups, the Office of Education occasionally has shown as much tolerance toward their shortcomings as they have shown toward accredited schools.

The federal agency's accreditation staff, while well-intentioned, is short of people and overwhelmed with paperwork. It must screen applications for initial or renewed recognition, provide staff services to a committee advising the education commissioner, and try as best it can to monitor some 50 recognized accrediting bodies.

HANDLING COMPLAINTS

Practical necessity, then, as well as legislative authority has led staff director John R. Proffitt and his aides to depend heavily on the accrediting groups to handle complaints against individual schools and enforce standards generally.

While the Office of Education has prodded an accrediting group to remedy lapses in performance—such as a serious conflict-of-interest episode in the Association of Independent Colleges and Schools—its dependence is such that it has never used its power to revoke a group's recognition.

One well-versed critic has called this symbiotic relationship an "unholy marriage, dangerous to both parties, failing adequately to protect the public and student interest while endangering the independence of accrediting agencies."

Down the hall from Proffitt's staff, the Division of Insured Loans has also mixed good intentions with mediocre performance in protecting student borrowers. Division officials have become increasingly concerned over the past three years about accredited profit-seeking schools which have abused the insured-loan program at students' expense.

At the outset, these officials understood that so long as the schools kept their accreditation they remained necessarily eligible for insured loans. To remedy that, Congress in 1972 gave the Office of Education authority to audit schools and to limit, suspend or revoke their insured-loan eligibility.

Yet nearly two years later, the Office of Education still hasn't published the regulations required to exercise that authority.

SUSPENDED INSURANCE

Meanwhile, federal officials have resorted to several ad hoc devices to curb predatory recruiting, wrongful withholding of refunds or other school abuses. For one, they have suspended some schools' authority to make insured loans to their own students.

For another, they have gone further and suspended insurance on loans from any lender for students at a given school. Intended to force the school owner to clean up his operations, this device in some cases has dried up the school's cash flow and driven it out of business—stranding students with unfinished educations and no hope of refunds, yet still with loans to repay.

According to Technical Education's Johnson, it was the Office of Education's suspension of loan insurance which "broke us."

Federal insured-loan officials had a more promising approach going for awhile. When a school's recruiting tactics aroused suspicion, they would send questionnaires to individual student loan applicants the school was enrolling. In numerous cases, the applicants, if they replied at all, proved ineligible, unaware that they would be going into debt, or misinformed about their eventual repayment obligations. Many would cancel their loan applications and pull out of the school.

In a case two years ago involving 20 young people recruited for International Business Academy in Oklahoma City, questionnaires brought no response at all from 11 and canceled applications from four others. Further checking showed another student was still in high school and thus ineligible, and two more were high school dropouts unlikely to succeed in the training.

Predictably, some school owners complained angrily about the questionnaires—a lawyer for one called them "heavy handed"—and last fall the Office of Education abruptly told its regional officers to stop using them. Someone, it seemed, had convinced Office of Education officials in Washington that they were breaking the rules since the questionnaires didn't have proper bureaucratic clearance and were being used only selectively—that is, against certain schools.

FRESH QUESTIONNAIRE

Soon afterward, a top official in the Office of Education's insured loans divisions said his staff was working on a fresh questionnaire and would seek proper clearance to use

it. More than six months later, that project was still hanging fire.

For their part, various spokesmen for the profit-seeking school industry criticized the Office of Education for being inconsistent, confusing, uncommunicative or even devious—as when, they assert, loan applications submitted for insurance approval mysteriously "get lost in the computer."

Elsewhere in the government, the Federal Trade Commission has been relatively aggressive in policing the school industry. Two years ago, after extensive hearings, the FTC laid down "industry guides" defining what it considered unfair or deceptive in advertising, recruiting and related school practices. About the same time, it issued proposed complaints against some industry giants—Lear Siegler, Control Data and Electronic Computer Programming Institute.

Last August, the FTC launched a nationwide media campaign to help consumers recognize and escape school abuses. And in hopes of laying out further rules—on refund policies for example—it has continued investigating industry problems.

Still, when it comes to enforcement activity, the FTC's investigations have been necessarily tedious, its proceedings ponderous, and its penalties limited. While its case against Lear Siegler is still pending, for example, the company—for unrelated reasons, officials say—has nearly finished selling off all its schools.

The Veterans Administration, responsible for the multibillion-dollar GI Bill program, is required by statute to delegate most supervisory duties to "state approval agencies"—which vary considerably in staffing, other resources and diligence.

While VA supervises as well as subsidizes these state-level surrogates, and spot-checks schools to some extent itself, there is little evidence that "Approved for Veterans" protects consumers any better than accreditation.

State governments, for their part, have school licensing or approving agencies of their own. They, too, and whatever laws they have to enforce, are a study in contrasts. Some states, like Florida and Texas, aroused by past profit-school scandals, provide relatively effective regulation. Others such as California have laws flawed by loopholes, and still others have practically no regulation at all.

The Education Commission of the States sponsored a task force's development of model state legislation last year. It hoped to encourage a more even and effective level of state-by-state regulation. But Indiana's Joseph A. Clark, who heads the new National Association of State Administrators and Supervisors of Private Schools, said his group would come up with a different and better bill.

REGULATORY CRAZY QUILT

Washington Post interviews with federal, state and accrediting-group officials throughout the existing regulatory crazy quilt repeatedly encountered disagreements, distrust and mutual criticism: Office of Education officials who look down on VA's state approving agencies, FTC officials who find the Office of Education paperbound and lethargic, state officials who scorn the accrediting groups while resenting FTC incursions on states' rights, accrediting officials who consider the Office of Education inconsistent or indecisive, and the like.

Such discord, among people supposedly sharing to some degree the same broad objectives—good schools, satisfied students and well-spent tax money—dramatize the political obstacles to improving the system.

Improvements, however, are badly needed. While specific remedies are open to debate, the general needs include these:

A far higher priority, among all concerned, for protecting student consumers.

More aggressive, methodical monitoring of school marketing practices, financial stability and other matters in which consumers have a stake.

More timely and effective enforcement of government regulations and accrediting standards—and in the case of the accrediting commissions, open rather than secret proceedings.

For correspondence schools, a requirement that GI Bill benefits be spent on educational essentials rather than extravagant color television sets and other window-dressing.

And for the insured loan program, relief from debts when student borrowers have been defrauded or shortchanged.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. McSPADDEN (at the request of Mr. O'NEILL), for today through July 3, on account of illness in the family.

To Mr. HORTON (at the request of Mr. RHODES), for today and the balance of the week, on the account of official Government Operations Committee business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BURGENER) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 15 minutes, today.
Mr. REGULA, for 10 minutes, today.
Mr. STEELMAN, for 15 minutes, today.
Mr. McKINNEY, for 5 minutes, today.
Mr. GROVER, for 10 minutes, today.
Mr. DON H. CLAUSEN, for 15 minutes, today.
Mr. RAILSBACK, for 5 minutes, today.
Mr. YOUNG of Alaska, for 5 minutes, today.
Mr. EDWARDS of Alabama, for 5 minutes, today.
Mr. GILMAN, for 5 minutes, today.

(The following Members (at the request of Mr. MURTHA) to revise and extend their remarks and include extraneous matter:)

Mr. ROSENTHAL, for 10 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. METCALFE, for 10 minutes, today.
Mr. HARRINGTON, for 5 minutes, today.
Mr. WAGGONNER, for 5 minutes, today.
Mr. STOKES, for 10 minutes, today.
Mr. RANGEL, for 5 minutes, today.
Mr. WOLFF, for 10 minutes, today.
Mr. BINGHAM, for 5 minutes, today.
Mr. PRICE of Illinois, for 5 minutes, today.
Mr. O'NEILL, for 5 minutes, today.
Mr. MATSUNAGA, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BRADEMAS and to include extraneous matter notwithstanding the fact that it exceeds 2½ pages of the RECORD and is estimated by the Public Printer to cost $888.25.

Mr. PERKINS, to follow the remarks of Mr. STEIGER of Wisconsin.

Mr. GROSS, immediately preceding vote on Senate Joint Resolution 218.

(The following Members (at the request of Mr. BURGENER) and to include extraneous matter:)

Mr. KEMP in four instances.
Mr. FINDLEY.
Mr. GOLDWATER.
Mr. STEIGER of Wisconsin in two instances.
Mr. VEYSEY in two instances.
Mr. GROSS.
Mr. MARTIN of North Carolina.
Mr. FRENZEL in five instances.
Mr. CONTE in five instances.
Mr. FORSYTHE.
Mr. YOUNG of Florida in five instances.
Mr. HOSMER in three instances.
Mr. GUYER.
Mr. WALSH.
Mr. PEYSER in 10 instances.
Mr. BROYHILL of Virginia.
Mr. SARASIN.
Mr. GUDE in five instances.
Mr. DERWINSKI in three instances.
Mr. BRAY in two instances.
Mr. PETTIS in five instances.
Mr. CARTER in five instances.
Mr. ROBISON of New York.
Mr. PARRIS in five instances.
Mr. BOB WILSON in two instances.
Mr. STEELMAN.
Mr. DU PONT.
Mr. GILMAN.
Mr. ROUSSELOT.

(The following Members (at the request of Mr. MURTHA) and to include extraneous matter:)

Mr. SISK in two instances.
Mr. ANNUNZIO in six instances.
Mr. ANDERSON of California in two instances.
Mr. GONZALEZ in three instances.
Mr. HAYS.
Mr. RARICK in three instances.
Mr. MOSS.
Mr. LONG of Maryland in 10 instances.
Mr. STARK in 10 instances.
Mr. ROONEY of New York in two instances.
Mr. ROSE.
Mr. TIERNAN in three instances.
Mrs. GRASSO in 10 instances.
Mr. HAMILTON.
Mr. DENT in two instances.
Mr. YOUNG of Georgia.
Mr. ADAMS.
Mr. FORD.
Mr. KARTH in two instances.
Mr. HÉBERT.
Mr. RANGEL in 15 instances.
Mr. FULTON.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 29. An act to provide for payments by the Postal Service to the civil service retirement fund for increases in the unfunded liability of the fund due to increases in benefits for Postal Service employees, and for other purposes;

H.R. 8977. An act to establish in the State of Florida the Egmont Key National Wildlife Refuge; and

H.R. 9281. An act to amend title 5, United States Code, with respect to the retirement of certain law enforcement and firefighter personnel, and for other purposes.

ADJOURNMENT

Mr. MURTHA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 10 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 2, 1974, 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:

2506. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1973 to April 1974, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

2507. A letter from the Chairman, National Commission on Productivity and Work Quality, transmitting a report on the activities of the Commission during fiscal year 1974, and a work program for fiscal year 1975, pursuant to section 1(i) of Public Law 93–311; to the Committee on Banking and Currency.

2508. A letter from the Secretary of Health, Education, and Welfare, transmitting the annual report on the health consequences of smoking, pursuant to section 8(a) of the Public Health Cigarette Smoking Act of 1969; to the Committee on Interstate and Foreign Commerce.

2509. A letter from the Secretary of Transportation, transmitting the interim report and recommendations on year-round daylight saving time, pursuant to the Emergency Daylight Saving Time Energy Conservation Act of 1973; to the Committee on Interstate and Foreign Commerce.

2510. A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of Vojislav Bozic, Constantin Krylov, Abdurachman Kunta, Mikolai Ozolins, Eugen Posdeeff, and Tatiana Wassiliew; to the Committee on the Judiciary.

2511. A letter from the Counsel for the Pacific Tropical Botanical Garden, transmitting the audit of the financial statements of the Corporation for calendar year 1973, pursuant to section 10(b) of Public Law 88–449; to the Committee on the Judiciary.

RECEIVED FROM THE COMPTROLLER GENERAL

2512. A letter from the Comptroller General of the United States, transmitting a report on accomplishments and constraints in U.S. security assistance to Korea; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOLIFIELD: Committee on Government Operations. H.R. 14494. A bill to amend the Federal Property and Administrative Services Act of 1949, and other statutes to increase to $10,000 the maximum amount eligible for use of simplified procedures in procurement of property and services by the Government (Rept. 93–1168). Referred to the Committeee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3903. A bill to direct the Secretary of the Interior to convey certain public land in the State of Michigan to the Wisconsin Michigan Power Co.; with amendment (Rept. 93–1169). Referred to the Committee of the White House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARCHER:

H.R. 15730. A bill to amend section 502(b) of the Mutual Security Act of 1954 to reinstitute specific accounting requirements for foreign currency expenditures in connection with congressional travel outside the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CARTER (for himself, Mr. ROGERS, Mr. COUGHLIN, Mr. DAVIS of Georgia, Mr. FULTON, Mr. GINN, Mr. GUNTER, Mr. HANLEY, Mr. MCCLOSKEY, Mr. MCEWEN, Mr. MOAKLEY, Mr. ROE, Mr. SKUBITZ, Mr. STOKES, Mr. WHALEN, and Mr. WOLFF):

H.R. 15731. A bill to provide for the development of a long-range plan to advance the national attack on arthritis and related musculoskeletal diseases and for arthritis training and demonstration centers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CRONIN:

H.R. 15732. A bill to amend title 38 of the United States Code in order to approve the enrollment of persons in flight school training under the war orphans' and widows' educational assistance program; to the Committee on Veterans' Affairs.

By Mr. ESCH:

H.R. 15733. A bill to amend the National Trails System Act to authorize a feasibility study for the establishment of certain bicycle trails; to the Committee on Interior and Insular Affairs.

By Mr. FINDLEY:

H.R. 15734. A bill to repeal the earnings limitations of the Social Security Act; to the Committee on Ways and Means.

By Mr. HEINZ:

H.R. 15735. A bill to further the purposes of the Wilderness Act by designating certain lands for inclusion in the National Wilderness Preservation System, to provide for study of certain additional lands for such inclusion, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of California (for himself, Mr. HOSMER, Mr. LUJAN, Mr. STEIGER of Arizona, Mr. KAZAN, Mr. DON H. CLAUSEN, Mr. RONCALIO of Wyoming, Mr. RUNNELS, Mr. DELLENBACK, Mr. STEED, Mr. ULLMAN, Mr. MCKAY, Mr. ABDNOR, Mr. EVANS of Colorado, Mr. FISHER, Mr. YOUNG of Texas, Mr. GONZALEZ, Mr. DE LA GARZA, Mr. ANDREWS of North Dakota, Mr. LEGGETT, Mr. LAGOMARSINO, and Mr. DENHOLM):

H.R. 15736. A bill to authorize, enlarge, and repair various Federal Reclamation projects and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROSENTHAL (for himself, Ms. ABZUG, Mr. ADDABBO, Mr. ASHLEY, Mr. BADILLO, Mr. BINGHAM, Mr. BOLAND, Mr. CARNEY of Ohio, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. DOMINICK, V. DANIELS, Mr. DONOHUE, Mr. DRINAN, Mr. DULSKI, Mr. EDWARDS of California, Mr. EILBERG, Mr. FRASER, Mr. GILMAN, Mr. GRAY, Mr. GUDE, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. HICKS, Miss HOLTZMAN, and Mr. HOWARD):

H.R. 15737. A bill to establish a temporary commission to study problems relating to the Nation's economy and to make recommendations for solving such problems; to the Committe on Banking and Currency.

By Mr. ROSENTHAL (for himself, Mr. KASTENMEIER, Mr. KOCH, Mr. MADDEN, Mr. MEEDS, Mr. METCALFE, Mr. MITCHELL of New York, Mr. MOAKLEY, Mr. PEPPER, Mr. PODELL, Mr. RANGEL, Mr. REES, Mr. RODINO, Mr. ROE, Mr. RUPPE, Mr. SISK, Mr. TIERNAN, Mr. WOLFF, Mr. WON PAT, and Mr. YATRON):

H.R. 15738. A bill to establish a temporary commission to study problems relating to the Nation's economy and to make recommendations for solving such problems; to the Committee on Banking and Currency.

By Mr. ROY:

H.R. 15739. A bill to amend section 1302 of the Health Maintenance Organization Act of 1973 by redefining the term "medical group"; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELMAN (for himself, Mr. HOSMER, Mr. RUPPE, Mr. REGULA, Mr. CRONIN, Mr. MARTIN of North Carolina, Mr. HANSEN of Idaho, Mr. GUDE, Mr. COLLINS of Texas, Mr. CONLAN, Mr. HORTON, Mr. WALSH, Mr. PICKLE, Mr. BOLAND, Mr. GIBBONS, Mr. ROE, Mr. SEBELIUS, Mr. KEMP, Mr. DON H. CLAUSEN, and Mr. RONCALLO of New York):

H.R. 15740. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, to establish a "Save Outdoor America" program, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAYLOR of North Carolina:

H.R. 15741. A bill to amend the Mutual Security Act of 1954 to require that information relating to foreign travel by Members of Congress be open to public inspection and published periodically in the CONGRESSIONAL RECORD; to the Committee on Foreign Affairs.

By Mr. YOUNG of Alaska:

H.R. 15742. A bill to provide for enrollment of certain Natives under the Alaska Native Claims Settlement Act; to the Committee on Interior and Insular Affairs.

By Mr. ZION (for himself, Mr. BRADEMAS, Mr. BRAY, Mr. DENNIS, Mr. HAMILTON, Mr. HILLIS, Mr. HUDNUT, Mr. LANDGREBE, Mr. MADDEN, Mr. MYERS, and Mr. ROUSH):

H.R. 15743. A bill to authorize the repayment of certain Federal-aid highway funds by the State of Indiana; to the Committee on Public Works.

By Mr. MURPHY of New York:

H.R. 15744. A bill to amend title 38 of the United States Code in order to improve the business loan program for veterans and to make veterans who served after January 31, 1955, eligible for such program; to the Committee on Veterans' Affairs.

By Mr. ROBISON of New York (for himself and Mr. HASTINGS):

H.J. Res. 1084. Joint resolution designating the week beginning July 1, 1974, as "National Soaring Week"; to the Committee on the Judiciary.

By Mr. MCKINNEY:

H. Con. Res. 554. Concurrent resolution for negotiations on the Turkish opium ban; to the Committee on Foreign Affairs.

By Mr. WOLFF (for himself, Mr. WHITEHURST, Mr. COLLINS of Texas, Mr. WILLIAMS, Mr. ABDNOR, Mr. HELSTOSKI, Mr. COCHRAN, Mr. GUDE, Mr. CLEVELAND, Mr. BLACKBURN, Mr. ROBINSON of Virginia, Mr. COHEN, and Mr. STEELMAN):

H. Con. Res. 555. Concurrent resolution for negotiations on the Turkish opium ban; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Res. 1210. Resolution authorizing the Committee on the Judiciary to proceed without regard to the second sentence of clause 27(f)(4) of rule XI of the Rules of the House, in conducting hearings held pursuant to House Resolution 803; ordered to be printed.

By Mr. ARCHER:

H. Res. 1211. Resolution expressing the sense of the House regarding a moratorium on Federal spending in excess of the Government's income; to the Committee on Appropriations.

By Mr. BINGHAM (for himself, Mr. FINDLEY, Mr. FRASER, and Mr. SEIBERLING):

H. Res. 1212. Resolution expressing the sense of the House with respect to the submission of U.S. territorial disputes to the International Court of Justice; to the Committee on Foreign Affairs.

H. Res. 1213. Resolution expressing the sense of the House with respect to the adjudication of disputes arising out of the interpretation of application of international agreements; to the Committee on Foreign Affairs.

H. Res. 1214. Resolution expressing the sense of the House with respect to establishing regional courts within the International Court of Justice, increasing the categories of parties which may request advisory opinions from the International Court of Justice, selecting judges of the International Court of Justice, and having the International Court of Justice consider cases outside The Hague; to the Committee on Foreign Affairs.

H. Res. 1215. Resolution expressing the sense of the House with respect to the jurisdiction of the International Court of Justice; to the Committee on Foreign Affairs.

H. Res. 1216. Resolution expressing the sense of the House with respect to access to the International Court of Justice; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H. Res. 1217. Resolution providing for the consideration of H.R. 14782, a bill to establish a general service pension for World War I veterans and their dependents; to the Committee on Rules.

By Mr. LAGOMARSINO (for himself, and Mr. GOLDWATER):

H. Res. 1218. Resolution in support of continued undiluted U.S. sovereignty and jurisdiction over the U.S.-owned canal zone on the Isthmus of Panama; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

507. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to the World Conference on Population; to the Committee on Foreign Affairs.

508. Also, memorial of the Legislature of the State of Louisiana, relative to the establishment of a reservation for the Coushatta Indian Tribe of Louisiana; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 15745. A bill for the relief of Antonio and Rosa Corrao and children Vincenzo, Giuseppe, Michele, and Rosa Corrao; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.R. 15746. A bill for the relief of Leslie F. Covey and his wife Karen; 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:

454. By the SPEAKER: Petition of William E. Warden, Dallas, Tex., relative to redress of grievances; to the Committee on the Judiciary.

455. Also, petition of the Board of Aldermen, Warson Woods, Mo., relative to a constitutional amendment concerning abortion; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE RETIREMENT OF RAYMOND F. NOYES

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. HAYS. Mr. Speaker, I am keenly aware of the day-to-day and year-to-year importance of the CONGRESSIONAL RECORD Clerk to all Members of Congress and, in an especially significant way, to the Joint Committee on Printing of which I have the privilege to be chairman.

From that vantage point, it is my distinct pleasure to extend warm, personal, best wishes to Mr. Raymond F. Noyes who has just retired from 39 years service with the Government Printing Office, of which more than 16 years has been as CONGRESSIONAL RECORD Clerk.

Dedicated to efficient, responsive service to the Congress, Ray Noyes has been a tireless and effective intermediary in our interests with the production divisions at the GPO. Through diligent work, he became intimately acquainted with the applicable provisions of the printing law and the Joint Committee's regulations, thereby becoming an unusually talented coordinator and valued counselor in keeping the many thousands of varied requests which were directed to his attention safely pointed in the right direction.

Our best wishes for a happy, richly earned retirement go to him, his wife, two children, and four grandchildren.

VICE PRESIDENT ADDRESSES NAVY LEAGUE

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. HÉBERT. Mr. Speaker, the Vice President spoke to the Navy League of the United States on Thursday, June 27 at the Sheraton-Park Hotel.

I want to make his comments available to every Member of the House, therefore, I am inserting them at this point in the RECORD.

REMARKS BY VICE PRESIDENT GERALD R. FORD

President Carrere, Admiral Moorer, Admiral Zumwalt, Admiral Bender, distinguished guests, ladies and gentlemen.

It is a great pleasure and high honor for me to be present today when your great organization pays tribute to three of America's great maritime commanders who have given to this nation over a century of dedicated service. This service is not only an example to their uniformed colleagues but represents the high standard that Americans have always received from their military leaders in both war and peace. With men like these at the helm of our military services, I can fully understand why, in a recent public poll the military was rated the most respected institution in this country.

I also want to pay tribute to the Navy League of the United States, the civilian arm of the Navy. For 72 years you have contributed much to the maritime services of our nation.

As you know, I have been in the government for some 25 years and the positions I have held have given me an insight into the contributions Admiral Moorer, Admiral Zumwalt and Admiral Bender have made to this country. During my years of congressional service, I had the vantage point both as Minority Leader and as a member of the Subcommittee on Defense Appropriations that not only enabled me to observe their work but, more importantly, to learn to know them and to be aware of their dedication to the nation and goals and ambitions of their respective services. My own experience in World War II as a Naval officer, I think, added to the appreciation that I have for the service they rendered.

I might interpolate here for a moment. I got a call about a quarter of eleven this morning from General Al Haig in Moscow. Let me just condense what Al Haig told me I think to all of you because of your deep interest in national security and efforts we're making for peace. What General Haig had to report: Number 1—The NATO meetings in Brussels were the most encouraging in the five-plus years of this Administration. The NATO nations represented by the leaders of each nation showed a greater solidarity, a greater willingness to work with one another, not only in their mutual defense, but also in their approach to some of the other problems; notably economic difficulties that in some instances have weakened and caused some problems as far as one nation or another nation is concerned. So the meeting yesterday was most encouraging as the President went to Moscow, and according to General Haig, the warmth of the welcome there was encouraging. The President was leaving within a very few minutes to discuss privately for the first time in this visit the problems with Mr. Brezhnev. And I'll add one comment parenthetically, I asked about the President's health. General Haig said that there was no pain, the swelling had virtually subsided, and the President was in the best of spirits as he tackles some of our most important problems.

America has always been a seafaring nation. The sea was the avenue that led to its exploration. The sea enabled it to survive in its infant colonial days. The sea was its most important line of communication, a key element of its security, and the livelihood for millions of its citizens. The romance of the Yankee Clipper and the New England whalers shared a heritage with the river boat captain and the barges that floated down the Mississippi.

Most of the world's commerce moves on the high seas, and today—perhaps more than ever before in history—the welfare and survival of nations are tied to the free flow of goods and raw materials.

We find that we are no longer independent and we must be certain that we do not become too dependent. Rather we find ourselves in the situation where we are interdependent, and this growing inter-dependence is becoming a basic fact of national life.

The existence and future of all modern societies rely on an exchange of raw materials and manufactured goods between societies. The full extent of this inter-dependence becomes apparent only when it fails to function as expected. The recent oil embargo is a clear example. In this age of inter-dependence, freedom of the seas again becomes more than a slogan. It is vital to national survival.

The United States is an island almost surrounded by water. We are a "have not nation," limited in many of the essential raw materials. We must have use of the sea both to import and to export materials to keep our economy healthy—to continue to enjoy our way of life—and to maintain our national security.

Let me illustrate. Before World War II the United States imported only a limited quantity of minerals and fuels. In fact, the United States was a net exporter. The story today is quite different, as our reliance on imported minerals and fuels has grown steadily. For example, today the United States imports approximately 100 different minerals. We import 84 percent of our asbestos; 100 percent of our manganese—essential for steel production; 86 percent of our bauxite; and 100 percent of our chromite.

I do not have to tell an audience such as this how essential many of these materials are to national defense needs. In 1973 alone, the United States relied on 100 million tons of mineral imports and 2 billion barrels of oil to supply a critical 35 percent of our energy demands.

The sea lanes are equally needed to export the products of our farms and factories. This is essential to our prosperity, to our balance of payments, and to prevent economic dislocation that would affect 700,000 American workers in all of our 50 states.

The high seas are the streets and super highways of the world. We are among those who must use these routes in freedom and safety. As a great maritime nation we bear a measure of responsibility for ensuring that those streets are not abandoned to others whose interest does not always coincide with our own.

Secretary of Defense Schlesinger recently observed that he stated, and I quote, "One should not think about the naval balance; the question is one of naval balance in terms of who is stronger, but in terms of this question: Does the West have sufficient naval capabilities to continue to use the seas rather than being denied the use of the seas?"

I agree that we must never allow our naval forces to reach a point where the use of the seas of the world could be denied to the United States. The sea lanes must be kept open and free. Our Naval posture must be second to none.

Sea lanes in the hands of an unfriendly power give that power the option to strangle us. Should any nation ever be able to deny us world sea communications, we could not survive. Remember, over 98 percent of our international commerce moves by sea. Let us not forget that sea lanes do not end at the ports along our coasts—rather they extend deep into the heartland of America where the Great Lakes and rivers serve as the avenues for vast seaborne national and international trade.

Keeping the sea lanes open is a vital mission for the U.S. Navy and the safety of our ships is a vital mission for our Coast Guard. The need and rationale for a modern and strong Navy and Coast Guard flows from these martime requirements. We must have sufficient numbers of modern ships, capable of meeting any threat that could deny us the freedom of the seas.

It is my feeling that we need a better understanding in this country of the term "sea power" and what it means to our economic strength and our national security. I urge you to continue to speak out and serve as educators so that our fellow citizens come to have fuller understanding of the importance of the seas. They must realize that their way of life, their jobs, their basic freedom and, yes, their lives are tied to the waterways of the world.

Let me close by saying to Admiral Moorer, Admiral Zumwalt, and Admiral Bender, our country is grateful for your service.

Today we chart our own course in world affairs from a position of undisputed strength because of your many sacrifices and outstanding leadership.

You are great Americans, your are great sailors, and you are faithful servants of your country.

SUSPENSION OF HOUSE RULE XI

HON. PIERRE S. (PETE) du PONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. DU PONT. Mr. Speaker, we voted today on a resolution to suspend the rights of members of the Judiciary Committee to question witnesses during committee hearings as guaranteed to them by House rule XI.

Certainly, an orderly and expeditious procedure is important to the earliest possible resolution of the impeachment matter. While disallowing questioning of witnesses by committee members would speed the work of the committee, suspending the rights guaranteed to Members under the rules of the House should only be undertaken for the strongest of reasons. The question is: What overriding interest of the committee, or the House, requires suspension of a Member's rights?

While I understand the need to proceed with dispatch on the question of impeachment, I do not see that speed alone is such an overriding interest. At most we are talking about 38 members of the committee questioning 6 witnesses for 5 minutes each—about 20 hours of additional time. Last week the committee met for about 25 hours, so we are really talking about an additional week of work. The committee began work more than 6 months ago, so we are being asked to suspend the rights of the Members of the House to prevent adding 1 week to a process that has already taken 27 weeks. I think this by itself is an insufficient reason.

In addition, there are three other reasons that weigh against suspension of the rules. First, it sets a bad precedent that may be invoked in future cases. Second, while under the proposal of the committee members may submit questions in writing to counsel to be asked by counsel, no followup questions will be possible, and frequently a series of several questions may be necessary to obtain the desired facts from a witness. Finally, since I have been in Congress I have stood by the belief that all issues benefit from full and free discussion. I do not see any danger in such debate in this case. I have not voted for limitations on debate in the past, and I think the sensitive issue of impeachment of the President is a poor place to start.

Mr. Speaker, for these reasons I voted against the resolution.

CUYAHOGA VALLEY: LA SALLE, FRANKLIN, WASHINGTON, AND JEFFERSON PUT IT ON THE MAP

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. SEIBERLING. Mr. Speaker, the weekend of June 8, the House Interior Subcommittee on National Parks and Recreation held a field hearing, chaired by our distinguished colleague, Mr. TAYLOR of North Carolina, on the bill to establish the Cuyahoga Valley National Historical Park and Recreation Area. Over 70 local citizens testified at the hearing, and the overwhelming majority of them expressed their support for this important legislation.

Joining Mr. TAYLOR were members of the subcommittee—Mr. DE LUGO, Mr. WON PAT, Mr. REGULA, and myself—and our colleague Mr. VANIK, in whose district much of the proposed park lies. They toured the area by helicopter, canal boat, bus, horse-drawn cart, and foot. They saw the valley's vast green expanse, as well as its hidden beauties and historic treasures. They saw the urban sprawl that encircles the valley and threatens to consume it if we in Congress do not act soon. Equally important, they met many of the local citizens who love this beautiful area and who have labored long and hard on its behalf.

After returning to Washington, I received an interesting letter from a distinguished, longstanding resident of Akron, Mr. William Barnholth. Mr. Barnholth has been concerned with the history of the valley since the 1950's, and has published two booklets: "The Cuyahoga-Tuscarawas Portage: A Documentary History" and "Fort Island and the Erie Indians." In his letter to me, Mr. Barnholth points out some little-known, but important historical facts about the Cuyahoga Velley. These facts emphasize the significance of the area in our Nation's history and the need to preserve and interpret it for present and future generations.

Mr. Speaker, for the benefit of all of the Members, I insert at this time a copy

of Mr. Barnholth's interesting and informative letter:

Hon. JOHN F. SEIBERLING, *Congressman:*

Arlen Large in the Beacon of May 19th remarked that the Cuyahoga Valley is not a Yellowstone or Yosemite. This is true scenically, but, there are two sides to the proposed Cuyahoga National Historical Park and Recreational Area.

However, our valley has a historic and national appeal when we think of La Salle, 1669; and Cadwallader Colden's map of 1728. It is also interesting to note that our river and portage are included in a World Atlas of 1794.

Benjamin Franklin was a co-printer of a map of the middle British Colonies in America, in 1755, showing the Cuyahoga. After the revolution the Cuyahoga river was part of the national boundary between the new United States and the Indian territory to the west.

The local Connecticut Western Reserve recalls the British royal charter which in 1662 extended that state's east-west boundaries from Rhode Island across the continent to the South Sea (Pacific).

Virginia's boundary, 1609, extended west and north-west in such a way as to include Ohio in what was called its Northwest Territory. This recalls Washington's dreams in 1784 of carrying on a fur trade by means of a steam boat up the rivers of Virginia, and the Muskingum and Cuyahoga to Detroit.

We therefore suggest that a building could be erected in the valley, which would contain pictures of La Salle, Washington, Franklin, Jefferson, and the Indian chiefs Pontiac, Tecumseh and Logan, as well as documents related to them.

PAT PATTERSON: QUALITY DEALER AWARD RECIPIENT

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. STARK. Mr. Speaker, I am honored to have the opportunity to pay tribute to a constituent of mine, Mr. Rolland B. "Pat" Patterson of Oakland, Calif. Mr. Patterson is the 1974 national representative for the Time Magazine Quality Dealer Award. From his contributions to the community and his keen interest in Federal highway safety efforts it is clear that he has set his own "standard of the world".

Mr. Patterson worked up from service assistant at the age of 15 to ownership of one of the Nation's largest Cadillac dealerships. He founded this latest venture, Patterson Cadillac, in 1970 by purchasing the Cadillac agency in Oakland. It is now the largest Cadillac dealership in northern California.

Mr. Patterson's interest in wide-range auto dealer participation merits recognition. He is a past president of Northern California Motor Car Dealers Association, the 1973–1974 National Dealer Council Representative for Cadillac and a past president of the Oakland Zone Chevrolet Dealers Advertising Association.

Corresponding to his fine record as a Cadillac dealer, his contributions to the community have been equally outstanding. Mr. Patterson is president of the board of directors of Children's Hospital Medical Center of East Bay. He is also a member of the board of trustees of the Children's Hospital Foundation, its fund-raising arm. In addition, Mr. Patterson has been a director of the Alameda County Chamber of Commerce and past president and director of the Eldorado County Chamber of Commerce.

His devotion to public service seems to be tireless. He has served 3 years each on the boards of directors of the Alameda and San Mateo Counties Better Business Bureaus, he has served on the planning and fund-raising committees to build Marshall Hospital in Placerville—1959–1960—and he is an active member of the Oakland Boys Club.

Along with his proud wife and children, we offer our congratulations to Mr. Pat Patterson whose outstanding service to both his profession and his community are worthy of our appreciation and esteem.

FISCAL YEAR 1974 VOLUNTEER ARMY HIGHLIGHTS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. STEIGER of Wisconsin. Mr. Speaker, on this, the volunteer Army's first anniversary, it is pleasing to report that the first year has been a success exceeding nearly everyone's expectations.

Secretary of the Army Howard "Bo" Callaway deserves considerable credit for that success. I received a letter from him today in which he discussed the elements that have enabled the Army to meet its manpower goals and to provide a high level of professionalism and combat readiness.

Bo enclosed an information sheet highlighting the Army's record in the first full year without induction authority. That record shows that enlistments and reenlistments, that the quality of recruits is high, that the state of discipline in the Army has steadily improved and that all 13 divisions are operational and ready for combat—compared to 4 of 13 when the last draftee entered the Army.

By almost every measure, the volunteer Army is succeeding. The first year's accomplishments have given the Army something on which to build, to become even stronger and more effective as a defense force. I am confident that with leadership of the caliber of Bo Callaway, that growth will continue. His letter and the information sheet follow:

SECRETARY OF THE ARMY,
Washington, D.C., July 1, 1974.

Hon. WILLIAM A. STEIGER,
House of Representatives,
Washington, D.C.

DEAR BILL: It is with a great deal of pride that I report to you that on 30 June 1974 your Army ended the fiscal year at its authorized manpower strength of 781,600 persons. This noteworthy achievement is clear evidence that the volunteer Army is a success.

This success is attributable to the outstanding efforts of the whole Army team; officers and non-commissioned officers in the field, civilians, and especially to the women and men of the Rrecruiting Command. Working in concert with the management of the Army, they have created a disciplined military atmosphere that has fostered record setting enlistments of new and prior service recruits, reenlistments, and minimal manpower losses. This success is a great tribute to the President, the Congress, and the American people for their positive attitudes in responding to the need for maintaining a strong Army during a no-draft era.

While the attainment of this goal is most encouraging, it does not lessen the task that lies ahead for fulfilling increased requirements for enlistments during the current fiscal year and particularly over the next few months. The immediate future will bring us into a total volunteer force as the tours of service expire for the last of the personnel drafted under the Selective Service System. To maintain authorized strength levels, we must enlist more men and women this year than we did last year. The total volunteer Army must have a steady flow of top quality accessions who are motivated to serve with pride and honor—men and women who have the capacity and desire to learn the military skills that will support a strong national defense.

Although we met, and even slightly exceeded, the Congressionally mandated personnel quality requirements last year—we must now move more forcibly into this market to insure maximum trainability, job satisfaction, and motivation. To this end, we have already taken a number of initiatives.

Our emphasis has been to increase the awareness of Army opportunities among leaders of the educational community so that they, among their other vital responsibilities, can properly represent the Army alternative to the young people with whom they are in contact. This approach has been taken on a broad front from state and local educational systems, to the high schools, to the junior and vocational colleges, to the colleges, and to the national academic accreditation associations.

A good deal of the volunteer Army's success thus far can be attributed to the enthusiastic efforts of friends like you. With your encouragement and support, the Army will continue to reach its goals.

To give you a more detailed account of the Army's present status, I have inclosed a paper which highlights our record of the first full year without induction authority.

Sincerely,

HOWARD H. CALLAWAY.

FISCAL YEAR 1974 VOLUNTEER ARMY HIGHLIGHTS

30 June 1974 marked the completion of the first full year without a draft authority and therefore is a good point at which to assess the results of efforts to make the Volunteer Army a success. The data available to the Army at this time are preliminary since the actual tabulation of final results will take a refinement of the year end results. However, these initial data indicate:

Total Strength: We achieved the Congressionally authorized Active Army manpower end strength of 781,600.

Recruiting: We recruited 196,000 men and women this year. In June alone we recruited over 24,000 new soldiers and about 2,000 soldiers with some prior service. Of the 24,000 new soldiers, almost 17,000 (about 70 percent) were high school graduates or the equivalent.

Male: Recruited 165,000 new male soldiers (all true volunteers) which is about 23 percent more than the true volunteers enlisted in FY 73 and about 85 percent of the combined accessions of the other Military Services.

Female: Recruited 15,000 females, 106 percent of our objective and 72 percent more than FY 73.

Prior Service: Recruited over 16,000 prior service men and women 113 percent of our objective and 18 percent more than in FY

73. These enlistments represent an appreciable dollar savings since the added expense of basic training is avoided.

Congressional Quality Mandate: We achieved these results within the quality guidelines directed by the Congress. Congress directed a minimum of 55 percent high school graduates—the Army achieved 56 percent. Congress directed a minimum of 82 percent of the recruits should be in the upper mental categories (categories I, II, and III)—the Army achieved 82 percent.

Reenlistments: We reenlisted over 58,000 men and women, 108 percent of our objective, and 23 percent more than in FY 73.

22,000 First Term soldiers (135 percent of objective).

36,000 Career soldiers (97 percent of objective).

Combat Arms: We recruited 37,000 new soldiers into the combat arms, one of the most difficult skills for which to get volunteers. One-third of these chose the $2500 combat arms bonus which represents enlistees who are high school graduates, upper mental category personnel, and enlisting for four years.

Training Discharge Program (TDP): Operating under the assumption that, regardless of careful screening, not every young enlistee is temperamentally suited for military life, in September of 1973 we initiated a program which permits discharges during the first 179 days for such cases. Results are encouraging—we are separating about 1700 trainees a month rather than passing them to units where they would become a burden. The program is for Active Army and Reservists alike. We are optimistic that the program lets us identify unsuitable personnel early. FY 75 loss data from units which receive trainees with the unsuitable enlistees already removed will confirm or refute that optimism.

Disciplinary Trends: Since the beginning of the no-draft era on 1 July 1973, the state of discipline in the Army has improved steadily.

The traditional indicators of discipline—AWOL, desertion, crimes against property—are down.

Crimes of violence have remained essentially the same.

While drug abuse offense rates are up, nearly all of the increase is due to use and/or possession of marijuana. The more dangerous drug offense rate remains stable.

Racial tension, of continuing concern, is generally reduced, giving rise to optimism but not complacency for the future.

In sum, the discipline of the Volunteer Army is good, and getting better in nearly every measurable area.

Delayed Entry Program (DEP): The number of new accessions (male and female) who have signed enlistment contracts in the Army but who will delay entry into active duty while completing high school, waiting for the assignment of their choice or a space in special training schools, or conducting personal business is 3–4,000 enlistments per month higher than similar months in 1973. Currently, we have over 15,000 in the DEP for FY 75 entry to active duty.

Mental and Educational Composition: Within the overall Army we have a higher percentage of high school graduates than a year ago (72.5 percent vs 71.1 percent) and a lower percentage of the lowest acceptable mental category (18.0 percent vs 18.1 percent).

Representation: At year end, the minority content of the Active Army was about 21 percent of whom 19 percent are Black. This represents an increase of about 4 percent in minority content since end FY 73. This increase is due primarily to enlistments which ran about 27 percent Black for FY 74, indicating that group's positive perception of the opportunities available in the Army.

Reserve Components: In the Reserve Components, the National Guard ended the year at a strength of about 413,000 or 9 percent above the average paid drill strength authorized. The U.S. Army Reserve ended the year at a strength of about 238,000 or 2 percent above the average paid drill strength authorized. Thus, both components have shown great resiliency in overcoming the disappearances of long waiting lists of recruits—lists that melted when the draft ended. The minority content of the National Guard was 5 percent and of the U.S. Army Reserve was 6 percent, both continuing the steady increase begun three years ago to become more representative.

Readiness: The readiness goal for all major U.S. Army forces is to achieve a combat ready posture. When the last draftee entered the Army, 4 of our 13 divisions were combat ready. Today all 13 divisions are operational and ready for combat.

DOES COMMON CAUSE SPEAK FOR THE MASSES?

HON. CHARLES ROSE III

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ROSE. Mr. Speaker, I would like to share with my colleagues some thoughts of mine on an organization we all know and, in some rare cases, fear. I am speaking of John Gardner's Common Cause. I bring this up because the district I represent in North Carolina, the Seventh, is strongly conservative. Certain of my constituents have protested to me that nowhere in the volumes devoted to this group has it ever been pointed out that it is a liberal organization.

Common Cause President Jack Conway has stated that his group speaks for the "masses." I deplore this form of intellectual snobbery. But, citing the group's own figures, national membership is between 300,000 and 400,000 persons. Membership in my State of North Carolina is, again, according to Common Cause figures, 4,700. I would daresay that Common Cause is wide of the mark in their claim of speaking for the "masses."

One of the main complaints I have with Common Cause is their releasing information to the press that is erroneous. I do not know how many of my colleagues have had this experience, but I have been the victim of what one of my staff members, a veteran newspaperman, calls "sloppy reporting." After I brought some pressure to bear Common Cause issued a retraction. But, again quoting my staff member, who reads the retractions, "The damage is already done."

It is interesting to note that with the exception of a story on Common Cause in the Washington weekly "Human Events" no newspaper, at least in my district, ever mentions the fact that Common Cause is liberal. But these same papers will write a story on the John Birch Society or Liberty Lobby and like ham and eggs they will immediately identify it as an ultra-conservative organization.

I would like to quote from a half-page story in the May 27 edition of the Wilmington, N.C., Morning Star entitled "Common Cause 'Fed Up'"—pointing out that nowhere in the story does it say what Common Cause was "fed-up" about. I am quoting State Chairman Cartwright Carmichael:

Another way of keeping track of the occasional gap between statement and vote, is to send out questionnaires to candidates asking them to commit themselves in writing on certain issues Common Cause is interested in. The response to this, predictably, is varied.

Carmichael said:

One legislator frankly told me he didn't want to be bound by a previous statement to vote a certain way. He seemed to feel there was nothing wrong with this, but we're trying to pin them down so they won't change their votes in the period between the time the issue arises and when the final decision is made.

Now, as we all know, what starts out to be a clear-cut issue can, in the course of time, become something else again through tacking on of amendments, and so forth. It is also possible that study of the pending legislation may show it to be flawed, too weak, or against the conscience of the legislator. Should he vote for it anyway because he has promised Common Cause he would?

Common Cause is basically interested in campaign reforms. Well, so are we. But I feel that the people are also equally entitled to know who funds any organization that purports to speak for the people, whether it is conservative or liberal, and what its real goals are.

John Gardner, who founded Common Cause in 1970, was a Republican who served in the Kennedy and Johnson administrations. His purpose in founding Common Cause was to have an organization that would speak for the "mute masses—it would fight for everyone the battles that business and labor were fighting for themselves." The latter part of that statement is a quote from a recent story in "Human Events" by William Murchison, an editorial staff writer for the Dallas Morning News. The story originally appeared in that paper.

Common Cause has championed a Federal oil and gas company, the vote for 18-year-olds, the overthrow of State laws requiring students to vote in their parents' hometowns—a rather neat way of getting a liberal bloc vote in college towns and, as I mentioned earlier, campaign spending reforms.

The 18-year-old vote was a popular issue, but it did aid the liberal cause more than the conservatives.

Now I do not care what Common Cause espouses just so long as the people know under what banner Common Cause, and that term "Common" may be significant, is working and asking them to follow.

And, in closing, I would like to ask: Does Common Cause really represent and speak for the people?

EARNINGS LIMITATION OUTLIVED ITS USEFULNESS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. FINDLEY. Mr. Speaker, although social security benefits were never in-

tended to be the exclusive source of retirement income for Americans, one of the great anomalies of the present law is that it virtually forbids senior citizens to work to supplement their admittedly inadequate benefits. Presently there is an earnings limitation of $2,400. If senior citizens earn above that figure, their social security benefits are reduced proportionately.

The original Social Security Act did not contain such a punitive provision. Rather, the earnings limitation crept into the law in later years, and it has subsequently been increased with such regularity that Congress should long ago have realized that it has outlived its usefulness.

The fact is that this section of the law actually penalizes those older Americans who choose to work for their living. Those who earn income from investments are not penalized. Income from stocks, bonds, and real estate are not subject to the earnings limitation which results in reduced social security benefits. Only those who must continue active employment must bear the brunt of this discriminatory provision of the law.

Those who have reached the age of 65 should be encouraged to continue working. The country gains far more by their labor—in productivity and taxes, even social security taxes—than it does by forcing them to quit work or suffer a reduction in their social security payments.

The bill I have introduced today will recognize the great contribution of our senior citizens to the national welfare by eliminating the earnings limitation completely.

JAMES H. SYMINGTON

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, the passing of a wonderful friend to radio and especially Loudoun County, Va., came quietly last Wednesday evening after a long illness. Leesburg, Loudoun County, northern Virginia, the Commonwealth of Virginia and the Nation have all lost a great citizen in James H. Symington.

James H. Symington, brother of the distinguished Senator from Missouri, was born in Baltimore, Md., on April 27, 1913. In 1941 Mr. Symington and his wife came to Leesburg where he engaged in farming and later took up amateur radio as a hobby. In 1955 his hobby led him to being named one of three outstanding Ham Operators by the men of the Air Force and he received an award from Gen. Curtis Lemay for his work with his station K4KCV.

Perhaps he is best remembered by the citizens of Loudoun County, Va., as the president of Radio WAGE during the period 1962–71.

A portion of a broadcast by William Spencer, general manager, Radio WAGE, Inc., on June 27, 1974, sums up best what Mr. Symington meant to the people of Loudoun County:

While President of Radio WAGE, Jim Symington felt strongly that serving the community in its best interests was our station's first concern. Showing a profit on the financial statements came afterwards. He loved our county, its land and its people. No cause was too small . . . no effort too big . . . if it was good for our area.

WAGE, its management and staff, join the family and many friends of James H. Symington, in mourning the death of a wonderful person.

In sorrow we still give thanks for having had the privilege to know well and to work closely with him at Radio WAGE. We pledge to continue to operate WAGE with the same ideals and principles to the best of our ability.

WAGE will make no changes in our programing today.

We are sure Jim would want it that way.

ERVIN COMMITTEE REJECTS PUBLIC FINANCING

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. FRENZEL. Mr. Speaker, the lead editorial in the Washington Post of this morning concerned itself with financing of elections. The editorial calls attention to some items in the report of the Ervin committee. The editorial, in pointing out campaign abuses by a number of candidates and/or their committees, makes a good point concerning the use of illegal contributions and contributions apparently given conditioned on some sort of quid pro quo.

The editorial is OK as far as it goes, but I am wondering why the Post has never editorialized or publicized very well the Ervin committee's determination to overturn a staff suggestion that it make no recommendation on public financing of elections. The Ervin committee, as I understand it, has approved language opposing public financing of Federal elections.

Selective editorializing is hardly news. Neither is selective news reporting:

MORE LESSONS IN CAMPAIGN FINANCE

The Senate Watergate Committee's mandate is not just to probe apparent crimes and abuses of power by President Nixon and his men; it is to investigate irregularities in the 1972 presidential campaign. That, properly construed, involves looking into some matters which—for your average member of Congress—come pretty close to home. Thus it was small wonder that the committee's zest for the cameras faded fast when last year's hearings turned to the subject of campaign finance. A similar diffidence has been noted in the House when anyone brings up the milk lobby's role in American politics. Now the Watergate committee staff, in the committee's final days, has drafted some reports on Democratic presidential campaign financing—reports which show, if anybody still needs to be shown, that nobody has a monopoly on suspect and illegal campaign financing practices.

The staff learned some interesting things about the handling of money in the presidential drives of Sen. Hubert H. Humphrey and Rep. Wilbur Mills. For one thing, both candidates got substantial sums from the same dairy lobbies involved in the Nixon administration's 1971 milk-price-supports deal. The reports do not argue in this case that the gifts to the Democrats were bribes in the legal sense—although obviously such donations do not exactly come under the heading of charity. But the point in this case is that some of the money came illegally from corporate funds. For instance, Associated Milk Producers Inc. (AMPI) invested $137,000 in computerized campaign services in Midwestern states, with $25,000 of this corporate largesse directly helping Sen. Humphrey. According to the report, the senator's campaign manager was a central figure in this deal. Meanwhile, the dairymen gave Rep. Mills a total of $187,000, or 43 per cent of his entire presidential war chest. Some $90,000 of this came from corporate funds, including about $50,000 used to bankroll a farmers' rally in Ames, Iowa, which Rep. Mills addressed in October 1971.

The committee staff noted other problems too. Both the Humphrey and Mills campaigns received illegal contributions from corporations and individuals later convicted of violating federal campaign laws. The report also raised questions about the funneling of more than $360,000 in stock revenues into Sen. Humphrey's campaign. Finally, the staff said that many details remain unresolved because both Sen. Humphrey and Rep. Mills have rejected committee requests for interviews; key records on AMPI's operations and the early Humphrey campaign have been destroyed; and the managers of both campaigns invoked the Fifth Amendment when called to testify under oath.

Sen. Humhprey has convincingly responded on one point. The conversion of stock from a blind trust into campaign funds was entirely proper because the money was his own and at the time there was no statutory limit on a candidate's contributions to his own campaign. Beyond that important point, however, both Sen. Humphrey and Rep. Mills have responded in all-to-familiar ways by criticizing leaked reports and professing total ignorance of any misdeeds which may have been committed by their over-zealous friends. In truth they may have known little or nothing of what was going on; many candidates have a self-protective habit of not inquiring too deeply into the operations of their money men. But that does not alter the fact that some apparently illegal things were done—any more than the strongarm money-raising of the Nixon men can be excused because President Nixon may have been unaware of it.

These new reports provide further examples of the intricate, devious ways that money moves among people of power, ambition and political designs. It is a system which fosters manipulation, covertness and a casual attitude toward the details of the law. It is a system in which all too many politicians are bound, often quite unwillingly, to rich friends and special interests by what one AMPI official called "a long history of understanding, awareness and support."

And so we get the rationale that everybody does it and therefore it is all right. But the point, the heart of the problem, is just the opposite: so many people do it, in so many campaigns, that rooting out and punishing individual violators is not enough. The whole system of funding politics ought to be changed—and that can be accomplished, if at all, by the same legislators who have let the old, corrosive methods continue for so long. The Senate has already approved sweeping revisions of the rules governing all federal elections. Within the next few weeks, the House is likely finally to have the chance to vote on some important changes, such as strict limits on giving and spending, the creation of a tough enforcement agency—and even a modest step toward partial public underwriting of congressional campaign. The outcome of those votes will show how many

representatives have grasped the real, nonpartisan lesson to be learned from the campaign financing practiced to some degree by both parties in the 1972 elections; that the price of that kind of gross abuse of the use of money in politics, in terms of the collapse of public confidence, is too high.

ANOTHER SCANDAL BREWING?

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. GROSS. Mr. Speaker, a recent article by Columnist Paul Scott discusses what could grow into a major security problem for the Department of State growing out of the appointment of an alleged homosexual as Inspector General of the Foreign Service.

Since I believe that this is a matter concerning which all Members of the House should be aware, I include the article for insertion in the RECORD at this point:

ANOTHER SCANDAL BREWING?

(By Paul Scott)

WASHINGTON, D.C., June 28.—Secretary of State Henry Kissinger is being frankly told to either fish or cut bait in a growing State Department security scandal.

The House Internal Security Committee, probing a major breakdown in the government's security programs, has demanded that Kissinger permit State Department security officials discuss their adverse findings on several of his high-ranking appointments.

Pressured by letters and phone calls from hundreds of security conscientious Americans to get on with their bogged down investigation of government security programs, the lawmakers summoned G. Martin Gentile, the State Department's Deputy Assistant Secretary for Security before the Committee.

When the legislators tried to question Gentile about his security staff's findings on several of Kissinger's top level appointments, the State Department security chief literally took the "fifth amendment", stating he was under orders not to discuss individual security cases.

Gentile was then directed by the lawmakers to go back and get Kissinger's permission to discuss their findings and turn over to the Committee the security files of several of the Secretary of State's recent appointments.

One of the files sought is that of James Sutterlin, who Kissinger appointed as Inspector General of the Foreign Service. The position is one of the most sensitive in the State Department since the Inspector General investigates all corruption and misconduct among the Foreign Service Officers scattered throughout the world.

As reported in an earlier column, State Department security files and sworn testimony of Otto F. Otepka, the Department's former chief security evaluator, clearly show that Sutterlin is an admitted homosexual.

So sensitive is the Sutterlin case that Kissinger has been in contact with the White House on whether the President should invoke executive privilege in order to keep all the facts from coming out.

The executive privilege cover would allow the Secretary of State to refuse to turn over Sutterlin's security file to the Committee and would block State Department security officials from discussing their findings with congressional probers.

THE PRESIDENTIAL DECISION

Whether President Nixon will permit Kissinger to cover over his shocking breaches of security is highly debatable.

In several instances in the past, Kissinger has threatened privately to resign unless the President granted his wish and in each case he succeeded in getting what he wanted.

Lashed on all sides by his Watergate critics and the growing impeachment drive in the House, the President now relies on Secretary Kissinger more than ever before. He needs his Secretary of State to produce a series of headline making foreign policy achievements in order to drown out the increasing cries for impeachment.

Under these circumstances, government insiders now believe the President will join in Kissinger's cover-up of the Sutterlin case in an effort to keep the lid on the brewing State Department security scandal. But it is now doubtful that any cover-up can succeed if the public continues its pressure on Congress for a full-scale inquiry.

Committee members led by Representatives John Ashbrook (R. O.) and Richard Ichord (D. Mo.), chairman, say they plan to push ahead with their inquiry. The probers have Otto Otepka, the retired former chief security evaluator, under subpena and plan to obtain his information on Sutterlin early in July.

Two other witnesses, including one within government, also are available to the Committee to back up Otepka's testimony. Another State Department employee already has informed the legislators that all of the adverse information on Sutterlin was forwarded to Kissinger before he made the appointment.

NUMBER SECURITY CASES

The Sutterlin case is only one of several security cases involving Kissinger's appointments now under investigation by the Committee.

Another more alarming case involves the passage of highly classified information by one of Kissinger's appointments to an agent of a foreign government, the doctoring of his security file so there would be no information in it from government wiretaps.

Government security experts, who have watched the State Department security mess unfold, believe the scandal could easily turn into another "Watergate"—but with even graver national security implications.

The good news about the whole sordid mess is that it shows that members of Congress still respond to massive pressure from those who have the vote and take time out to either write or call them.

There is now even a faint hope that the Ichord-Ashbrook Committee will fully examine the claim of a high-level Soviet defector. He contends that 12 years ago he turned over to the Central Intelligence Agency information linking Kissinger to the Soviet's world-wide espionage operation.

Since the information that the Soviet defector has furnished to U.S. security officials in all other instances has proven out, one must now ask if the House investigators can afford not to conduct a full-scale inquiry into the "real Dr. Kissinger."

The Secretary of State's own public admission that he has twice overruled security officials and named persons to high-level governments jobs is sufficient grounds on which to launch such an investigation. The question now is whether the American people will demand it. If you want it, now is the time to contact your Congressman and give him the above information.

MAN OF THE SOUTH FOR 1973

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. MARTIN of North Carolina. Mr. Speaker, one of my constituents, Mr. William H. Barnhardt, has been selected "Man of the South" for 1973 by the editors of Dixie Business.

Bill Barnhardt has been tremendously successful both in business and in service to his community and State and well deserves such an honor. Born near Harrisonburg, N.C., he grew up as a farm boy and then graduated from North Carolina State College of Textiles with a B.E. degree. Recognizing that synthetic fibers offered a great future for the textile industry, he and his brother Charles formed Barnhardt Brothers, Charlotte, and helped pioneer the use of synthetic materials in textiles.

Mr. Barnhardt, the 28th recipient of the annual award, is president of six corporations and a director of 20. His activities have not by any means been confined to business as he has found the time and the energy to be a member of the Regional Committee and Advisory Council of the Mecklenburg Council of the Boy Scouts of America; a member of the boards of trustees of Queens College, Johnson C. Smith University, Crossnore School, Charlotte Country Day School, the Protestant Radio and Television Center, and the Greater Charlotte Foundation: and a director of the Foundation of the University of North Carolina at Charlotte, Inc. He is an elder in his church and past president of the Presbyterian Foundation for which he headed a fund drive for a building to house valuable church records.

William H. Barnhardt is a fine representative of his area of the country. A tremendous success in business, he is also more than willing to use his talents in service to God and his fellow man. I offer my congratulations to him both on his selection as "Man of the South" and on his well lived life.

HUMAN CONCERN SAVES A LIFE

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. WALSH. Mr. Speaker, more and more we are forced to realize that we are living in a violent world where guerrilla and terrorist raids and violent deaths increase in frequency with each passing month.

As we all know, the headlines in our newspapers are becoming more and more distressing with each daily edition.

So it was with great pleasure that I read a letter I recently received from the American National Red Cross. The letter's purpose was to inform me that a constituent, Ronald E. Pitcher of 1 Florence Street in Auburn, N.Y., has been named a recipient of the Red Cross Certificate of Merit. Mr. Pitcher won this award because of his knowledge and skill and because he cared enough about another human being to become involved and make a personal sacrifice.

This kind of selflessness deserves a reward and thanks to the Red Cross, that is exactly what is going to happen.

I would like to share with my colleagues a portion of the letter from Red

Cross President George Elsey. The portion describes why Mr. Pitcher is receiving the Certificate of Merit.

On January 3, 1974, Mr. Pitcher, trained in Red Cross First Aid, stopped his automobile on the highway in response to a young man waving for help. He was told that the young man's hunting companion had been accidentally shot. Immediately Mr. Pitcher took him to a nearby telephone to call for assistance and then returned to the accident victim. He found the boy lying against a snowbank with a gunshot wound in the chest. Mr. Pitcher applied compress bandages to control the bleeding and remained with the victim until an ambulance arrived, reassuring him while he was being carried through he deep snow to the ambulance. The victim survived; without doubt Mr. Pitcher's use of his skills and knowledge saved his life.

Mr. Pitcher deserves to be congratulated for his unselfish actions and the Red Cross deserves to be commended for recognizing these actions.

PRESERVATION OF PEACE IN THE MIDDLE EAST

HON. TENNYSON GUYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. GUYER. Mr. Speaker, today, Americans are properly concerned about the preservation of peace in the Middle East and solutions to the problems resulting from Vietnam.

Often overlooked, however, is the continuing tensions between North and South Korea, even though an armistice was signed more than 20 years ago.

Korea has it own "Iron Curtain" which has divided that country into two distinct idealogical camps, similar in many ways to the more talked about East and West Germanys.

Since the 1953 Korean armistice, many students from the Republic of Korea have furthered their education in the United States, with commercial and cultural ties between our two countries being visibly expanded and strengthened.

Recently my alma mater, Findlay College, in Findlay, Ohio, conferred the honorary doctor of political science degree upon Dr. Kwan-Shik Min, Minister of Education of the Republic of Korea. Presenting the citation honoring Minister Min, was a former Korean student at Findlay College, Mr. Hancho Chris Kim, who has been a credit to our college.

Minister Min has encouraged Korean students to attend American colleges and universities to study our culture, customs, and tradition of self-government. The Minister and his fine people by precept and example have emphasized and demonstrated that more and better education will best serve their country's current and future best interest for economic growth and representative government. I salute and commend this high resolution of educational purpose.

THE PLUTONIUM CURSE

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. SEIBERLING. Mr. Speaker, the proposed sale of nuclear reactors to Egypt and Israel should force us once again to examine thoroughly the implications of the world's rush to build more and more atomic power plants.

In two articles which appeared recently, the "not so peaceful" risks which accompany the "peaceful" uses of nuclear energy are explored. One article by Thomas O'Toole appeared in the Washington Post on June 23; the other, by David Krieger, appeared in the June 1974 issue of the Center Report. The articles are printed at the conclusion of my statement.

In a news conference last Saturday, AEC Commission Chairman Dixy Lee Ray maintained that "it is wrong to suggest that nuclear reactors mean nuclear weapons." She suggested that it would take Egypt years to develop the technology needed to extract plutonium from spent reactor fuels.

However, the recent explosion of a nuclear bomb by India would suggest that such assurances cannot be relied upon. Dr. Henry Kendall, a physicist at the Massachusetts Institute of Technology, said Egypt, through relatively simple procedures, could extract enough plutonium to build a bomb soon after the reactor goes into action. He estimated the cost of India's first nuclear bomb to be about $1.8 million.

But the issue goes way beyond the question of whether a nation provided with nuclear reactors for peaceful uses will then turn around and build a bomb.

The real dilemma is that with the construction of every new nuclear plant we increase the stockpile of plutonium—the deadly radioactive metal of which bombs are made. Dr. Charles Thornton of the AEC calls it the plutonium curse.

Krieger suggests that as the amount of plutonium in the world increases we may actually become captives of it, forced to live in a kind of "garrison" society to protect ourselves from the catastrophic dangers of plutonium.

I commend the two articles to my colleagues. And I am hopeful that the proposed sale of reactors to Egypt and Israel will stimulate a new—and badly overdue—national debate on U.S. policy with respect to nuclear energy.

The articles follow:

[From the Washington Post, June 23, 1974]

SPREAD OF PLUTONIUM WORRIES A-SCIENTISTS

(By Thomas O'Toole)

When India decided in 1971 to build an atomic bomb, it was already halfway along to achieving its goal.

Hundreds of physicists had been put to work before 1970 at Bhabha Research Center near Bombay, designing the bomb and the super-sensitive explosive that would serve to trigger it.

Computers had begun the painstaking task of testing the weapon on paper. Most important, India had secretly been removing from a small "research" reactor the priceless plutonium it used to make the 14-kilton bomb that exploded in the Rajasthan desert May 18.

Only India knows how much plutonium it put together to make its first bomb, but it could have been as little as 14 pounds.

Whatever they used, the Indians had little trouble accumulating it. For 10 years they had been gathering as much as 20 pounds of the gray metal every year, merely by separating it from the fission products of a uranium-fueled reactor built for the Indians by the Canadians in the 1950s.

India was the sixth country to explode an atomic bomb, the fifth to do it first with plutonium. Only China exploded a uranium bomb first, presumably because it acquired uranium before it could make plutonium.

Plutonium was discovered only three decades ago, and is made when an atom of U-238 (natural uranium) absorbs a neutron cast off by fissioning U-235, the isotope of uranium used in bombs and, in much less concentrated form, in reactor fuels. Every nuclear reactor in the world starts making plutonium the moment its uranium fissions and begins to make heat.

This means that whoever wants to make a bomb need only extract plutonium from the irradiated wastes of an atomic power plant. He doesn't need a uranium enrichment plant to make "weapons-grade" (93 per cent U-235) uranium, a factory that's likely to cost $250 million to build and $50 million a year to operate.

There are other reasons why a plutonium bomb is the cheapest and easiest to make. It can be built from half as much metal as a uranium bomb. It can also be made using impure plutonium. In fact, the impurities contain a built-in generator (an isotope known as Pu-240) of neutrons, something needed to start the chain reaction that explodes the bomb.

"It's the plutonium curse," is the way it's put by the Atomic Energy Commission's Dr. Charles Thornton. "Something that society is going to have to struggle with for the rest of time."

The perils of plutonium have been spotlighted by the world's rush to "go nuclear." There are today 15 countries operating atomic power plans, all of them quietly producing plutonium. It's true that a nation needs a plutonium separation plant to get at it, but India's example has served to dispel any ideas that plutonium extraction is reserved for the rich.

Atomic power plants are also being built in another 10 countries and are on order in at least 10 more, including oil-rich Iran, Spain is building six, Sweden eight, West Germany 13 and Japan a staggering 16. Egypt and Israel aren't on this list, even though President Nixon promised to sell one plant to each of the countries on his 10-day tour of the Middle East.

The likelihood that Egypt and Israel will have power plants producing plutonium has triggered a busy debate on Capitol Hill, where the House Armed Services Committee is to hold hearings on the subject this week.

Three senators (Lawton Chiles of Florida, William Proxmire of Wisconsin and Frank Church of Idaho) have questioned the wisdom of introducing plutonium to the Middle East.

"The world has witnessed a spurt of nuclear developments in several countries, which does not bode well for the future," said Church, a key member of the Senate Foreign Relations Committee. "I am particularly disturbed that President Nixon has committed the United States to furnish nuclear capability to Egypt and Israel, two countries which have fought four hot wars over the last quarter of a century."

It will be eight years before Egypt and Israel get the nuclear power plants promised by the President, and in those eight years the rest of the world will have accumulated more than 250,000 pounds of plutonium. That's enough to make 20,000 atomic weapons, almost as many as the United States has today in its arsenal.

By the time Egypt and Israel get nuclear power, the plants will probably be fueled with plutonium instead of uranium. So plentiful will plutonium be by the end of the decade that it might make sense to turn to "plutonium recycle," where the extracted plutonium is put back into the power plants to save uranium and money.

The pressures to go to a plutonium power economy will be enormous, partly because uranium is becoming scarce and partly because it is so expensive. A typical uranium fuel core with a 10-year lifetime costs more than $100 million. The value of the fissile uranium is close to $5,000 a pound, more than twice the price of gold.

Plutonium is more valuable than gold. More than $1 million worth of plutonium can be recovered every year from a nuclear power plant. Four plants could produce enough plutonium to run a fifth plant. In effect, a million kilowatts of electricity would be generated free of fuel costs for every 4 million kilowatts, whose costs run $40 to $50 million a year.

"Plutonium recycle means you must worry about the theft as well as an Indian-type diversion," said Dr. Theodore B. Taylor, a one-time designer of atomic weapons for the Los Alamos Scientific Laboratory. "Theft becomes a distinct possibility with plutonium fuel moving around the world."

The thieves could be the scientists of a country deciding to build a bomb. They could also be organized criminals, lured not by the wish for weapons but by plutonium's rising value on the black market.

"Once special nuclear material (like plutonium) is successfully stolen, a market for such illicit materials is bound to develop," said AEC Commissioner Clarence E. Larson. "As the market grows, the number and size of the thefts can be expected to grow with it, and I fear such growth would be extremely rapid once it begins."

The AEC takes pains to point out that the world is still debating the merits of a plutonium-fueled economy, but spreading nuclear power plants without plutonium fuel are still a threat. It's true the United States builds safeguards into atomic plants, but there are ways to break the safeguards.

The way India did it was to place its own natural uranium (less than 1 per cent fissile U-235) into the 40,000-kilowatt research reactor built for it by Canada. It took time and patience, but for every two pounds of uranium the Indians put in they got two ounces of plutonium out.

There are more clandestine ways to make plutonium. A few pounds of uranium could be taken out of the fuel package each year a plant is refueled, then irradiated secretly to make plutonium. Bootleg piping could be built into a power plant to remove tiny amounts of irradiated fuel, including the plutonium that has already been made.

The best way to do it would be to place plentiful natural uranium in the control rods and shielding inside the fuel bundle. Wherever neutrons leak out from the chain reaction will do. There is a chance of fouling up the neutron balance, and even a slight risk of losing the chain reaction this way, but if a country is dead serious about this approach it could make as much as 1,000 pounds of plutonium in a year.

One thing that worries the experts about plutonium is that terrorists or criminals might get their hands on it. They wouldn't even need enough for a bomb to make impossible ransom demands. The reason is that plutonium in its powdered form is about as poisonous a substance as there is.

The threat of a plutonium smoke bomb tossed into a New York bank might be enough to extort $1 million from the bank. The threat of a plutonium "dispersal device" exploded in the air over San Francisco could be enough to empty the city. Winds could carry plutonium dust for miles, and people might have to stay indoors for days while trained troops wearing gas masks cleaned up the city streets and surrounding countryside.

A person could hold plutonium in his hand and not be seriously harmed. He might even get away with swallowing some of it, but if he got any in his bloodstream (through a wound) or inhaled any of it death might follow in a matter of hours, days at the most.

Plutonium is one of four radioactive metals (americium, curium and polonium are the others) that are alpha-emitters, meaning that they discharge alpha rays as their radioactivity decays. Plutonium also endures. Its half-life is 24,000 years. An ounce of plutonium created today will be radiating alpha rays 200,000 years from now

There is nothing more toxic than alpha rays, not even an overdose of X-rays. Their radiated energy is 10 times more potent than X-rays and gamma rays, even though both those forms of radiation penetrate farther into the body.

Plutonium that seeps into the bloodstream seeks out the bone immediately, following the path of metals like calcium and strontium. It settles on the bone surface and stays there forever. It is even more poisonous to the lung, whose tissue is among the most delicate and sensitive in the human body. Inhaled plutonium would cause immediate lung damage, and if the dose were large death from suffocation would take place in minutes.

"An alpha particle lays down its energy much more rapidly and much more completely than an X-ray, said the University of Minnesota's Dr. Donald Geesaman, once with the AEC's Livermore, Calif., laboratory. "It's like getting hit with a car and then run over by a truck."

There is little hard medical experience with plutonium and humans. The people killed in the Hiroshima and Nagasaki explosions (one a plutonium bomb, the other with some plutonium) were killed outright by blast, heat and immediate and massive radiation from all fission products of the explosion, including plutonium.

There have been experiments with dogs, tests done over the past 25 years with beagles at the University of Utah. One series of tests involved plutonium injections into the dogs' bloodstreams. Another followed the inhalation of plutonium by the dogs.

The dogs, injected with the lowest dose levels got sick from plutonium. Fully one-third of the 65 dogs injected got bone cancer, living nine months after the onset of the disease. Two dogs got cancer of the liver, surviving about as long as the bone-cancer cases once the disease had set in.

Dogs inhaling plutonium suffered more. Forty-four of the 65 dogs in this test died in less than five years, all of them from lung failure. Twenty of the 21 dogs who survived five years died of lung cancer, all within a year of the start of the disease.

Despite its obvious ill effects if inhaled from a smoke bomb or a dispersal device, plutonium is at its most fearsome when it is used to make an atomic bomb. The irony of the fear is that weapons experts worry less about other countries building a plutonium bomb and using it than they do about terrorists threatening to make a stolen smoke bomb.

"If anybody built a plutonium bomb and used the ——— thing they could count on retaliation from the rest of the world," said one of the country's foremost atomic weapons experts. "You might find the Russians and the Americans falling over themselves to make a world example of what happens to nations who tinker with nuclear weapons."

[From Center Report, Santa Barbara Center for Study of Democratic Institutions, June 1974]

When Terrorists Go Nuclear

(By David Krieger)

Trends in terrorist tactics have shifted in recent years from bomb-throwing to hijacking to kidnapping. There may be a further shift which will subject whole cities to terrorist demands. Many of the same people who empathized with Patricia Hearst and her parents may one day find themselves part of a city held ransom to nuclear-armed terrorists.

This may sound far-fetched, but it isn't. It is an all too real possibility. For terrorists to "go nuclear" there are two prerequisites: They must be able to obtain nuclear materials suitable for making weapons, and they must be able to construct a nuclear weapon from this material.

Fissionable material suitable for making nuclear weapons is a by-product of the fuel cycle in nuclear power plants (those same nuclear power plants which are advertised falsely as "clean and safe," and which Mr. Nixon plans to spread across this nation to achieve "Project Independence"). It requires only eleven pounds of plutonium-239 to construct a nuclear bomb in the 20-kiloton range, roughly equivalent in size to the bombs which killed tens of thousands in Hiroshima and Nagasaki. Currently more than thirteen tons of plutonium-239 are being produced each year at nuclear power plants. By the end of the century, it is estimated that 750 tons will be produced each year. All of this plutonium must be kept from terrorists forever because it has a radioactive half-life of 24,400 years. But obviously there are no guarantees that this can be done.

Recently the General Accounting Office reviewed the security systems at three nuclear plants and found weak physical security barriers, ineffective guard patrols, ineffective alarm systems, lack of automatic-detection devices, and lack of action plans in the even of a diversion of material. At one of the plants they found broken locks on outer gates, fence holes large enough for persons to enter the plant, and nuclear material stored in prefabricated steel structures which could easily be breached.

There is inevitably a small loss of nuclear materials in the nuclear fuel cycle. This loss, which for plutonium averages between .2 and .5 per cent, is known in the nuclear trade as material unaccounted for (MUF). There is no way to be certain whether or not any of this MUF has been stolen. This was pointed out by E. B. Giller, chief national security officer of the Atomic Energy Commission, before a Senate Government Operations subcommittee early this year. At one nuclear facility in Pennsylvania some 220 pounds of uranium were unaccounted for over a five-year period.

There are further possibilities for diversion when nuclear materials are transported. The motive for diversion would likely be profit as plutonium is valued at $5,000 a pound, more valuable than either gold or heroin.

Having diverted the nuclear material, the next step would be the construction of the weapon. The experts generally agree that information for bomb construction is widely available. Mr. Giller has suggested that a competent group could make a nuclear bomb,

but he doubted that a lone terrorist could make one. His doubt was disputed, however, in other testimony. Theodore Taylor, a nuclear consultant, argued that with fifteen pounds of plutonium a knowledgeable individual could construct a crude nuclear weapon in a matter of weeks. The important point is that there is no theoretical or knowledge barrier to the creation of nuclear weapons by either individual terrorists or groups of terrorists.

The possibility of nuclear-armed terrorists in our already surrealistic world is brought to us by societies with insatiable appetites for energy, by scientists intent on providing us with a "peaceful" use for the atom, by the A.E.C., which has been more busy promoting than regulating nuclear power, by the nuclear power industry which has a profitable new product to market, and by citizens who have not done their homework on the potential dangers of nuclear power—which include, in addition to the diversion problem, the possibility of radiation release through reactor accidents, sabotage or conventional warfare, and the lack of an adequate solution to the storage of long-lived radioactive waste.

To prevent terrorists from going nuclear will require much greater security of all phases of the nuclear fuel cycle. In the end it may be necessary to create a garrison society to keep all of the shipments of nuclear fuels adequately guarded. Even this will be insufficient since nuclear materials diverted in other countries may be clandestinely smuggled across borders.

The social implications of the kind of garrison society that would be needed to safeguard the people by protecting nuclear materials are so negative that we should halt development of nuclear power plants and try to achieve a moratorium on the whole nuclear power industry, both nationally and globally. Nuclear "terrorists" may already be with us in the form of those promoting nuclear energy. Recently passengers on two Delta Airlines flights were exposed to radiation resulting from the faulty packaging of the nuclear material in the cargo area of the plane. While the intent was not political as in a terrorist hijacking, that is small comfort or consolation to the potential cancer victims. Perhaps it is appropriate to think of the promoters of high risk activities, such as the nuclear industry, as statistical terrorists who, over time, may victimize not inconsiderable percentages of the population. The American people should at least be informed of the hazards of both political and statistical terrorism inherent in the continued development of nuclear power, and then be allowed to make a rational and deliberate choice in the matter.

(David Krieger was Director of the International Relations Center at San Francisco State University before coming to the Center as a Research Assistant.)

TRAGIC DEATH OF MRS. MARTIN LUTHER KING, SR.

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ADAMS. Mr. Speaker, I was shocked and saddened to hear of the tragic assassination of Mrs. Martin Luther King, Sr. yesterday.

The shooting of Mrs. King was an outrageous act of terrorism and a senseless insult to a noble family which has already suffered so much anguish, starting with the tragic 1968 assassination of Mrs. King's eldest son, the Reverend Martin Luther King, Jr. and the drowning in 1969 of her second son, A. D. King.

We have lost too many honorable and dedicated Americans to assassins' bullets. If it is true as reported in the press that here exists a list of civil rights leaders marked for death, all local, State, and Federal law enforcement officials should do their utmost to protect these leaders and stop these would-be assailants.

While the country is so absorbed in the problems of inflation and impeachment, we cannot forget but must continue the pursuit of equal rights for all Americans both as our duty and as a memorial to the lives of the Kings and other civil rights crusaders.

NUCLEAR MERCHANT MARINE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. BOB WILSON. Mr. Speaker, the distinguished editor in chief of Sea Power magazine has just published an enlightening article on the growth of nuclear propulsion with a heartening prediction that we are about to embark on a mammoth program to build a fleet of 200 nuclear powered merchant ships by the year 2000. This is good news.

The House has just passed, and the Senate will soon concur in a new naval nuclear propulsion policy as expressed in title VIII of the Military Procurement Act for fiscal year 1975.

This setting of policy by Congress is almost unprecedented but is vital to the insurance that we are moving out of the fossil fuel era into the nuclear age.

I ask unanimous consent to include this article from Sea Power as a portion of my remarks.

[From Sea Power, June, 1974]

NUCLEAR MERCHANT MARINE UNDERWAY AT LAST

(By James D. Hessman)

The United States is planning a belated re-entry into the international competition to build a nuclear merchant marine, and the re-entry vehicle may be a million-ton tanker powered by a two-paragraph notice in the Federal Register.

The notice, dated April 24, 1974, invited "Persons, firms or corporations having any interest in applying" for a construction differential subsidy "for the purpose of building nuclear-powered merchant vessels to be operated in the foreign commerce of the United States" to submit in writing an "expression of said interest" on or before May 29, 1974. Applications were to include "full particulars on the type of vessels, intended trade, size, speed, horsepower, etc.," as well as "information concerning participating parties and the requirement for financial assistance, if any, by the Government," the notice said. "Thereafter, completed applications for such subsidy should be filed . . . on or before July 29, 1974."

Five corporations reportedly responded to the notice. One proposal, submitted by Globtik Tankers, Inc., of New York, according to a May 31 report in the *Baltimore Sun*, suggests construction of "a tanker with the unprecedented capacity of a million deadweight tons."

The Globtik proposal "topped a list of suggested nuclear-powered ships ranging in size and class from 380,000-ton tankers to 130,000-cubic-meter liquefied natural gas [LNG] carrying vessels . . . [and] was proposed as as an alternative to a combination of ships, including six 400,000-ton tankers priced at $163 million each, and vessels ranging to 600,000 tons," the Sun said.

A week before the Globtik bid, George P. Livanos, president of Seres Shipping, Inc., of New York City, was reported to have made application to build three ultra large crude carriers (ULCCs) each of 600,000-ton capacity. Barbara Dlugozima, staff writer with the *Savannah Evening Press*, quoted Livanos—who announced the Seres plan, felicitously enough, during National Maritime Day ceremonies abroad the nuclear ship *Savannah*—as envisioning "a new generation of commercial nuclear ships with capabilities which even Jules Verne would have considered a dream."

Stoking that dream and providing it substance, however, will be a number of hard new political and economic realities suddenly facing U.S. decisionmakers and giving powerful impetus to the nuclear merchant marine program:

The Arab oil embargo, which could be reimposed at any time for any reason, demonstrated the vulnerability of the United States, and other nations (perhaps more so), to political blackmail. It also made the American public at large aware for the first time of U.S. dependence upon not only foreign energy sources but also foreign-flag energy carriers—tankers, supertankers LNGs, etc. Project Independence, the Nixon Administration's plan to make the nation self-sufficient in energy supplies by 1980, is designed to remedy the first defect. A proposal now before Congress to require a certain share (one third or so) of the two-way U.S. foreign trade to be carried on U.S.-flag ships would, if approved, do much to correct the latter problem. Even so, by 1985: (1) The United States will still, according to some estimates as yet unrefuted, be required to import the equivalent of up to 15 million barrels of oil per day; (2) The present production capacity of all U.S. shipyards combined is insufficient to build, along with ships for the U.S. Navy which will be needed during the same time frame, the number of tankers, LNGs and other merchant ships which will be required (particularly if the "fair share" bill is passed) by the U.S.-flag merchant marine over the next decade.

Balance of Payments (BoP) deficits—an on-again off-again problem of the past several years which, barring unforeseen developments, might well become a permanent unwanted feature of the American way of life—could by 1985 run to "a staggering $25 billion" annually for oil alone, according to former Secretary of the Interior Walter J. Hickel. The Hickel prediction was made in a *New York Times* article of October 25, 1972, at a time when the price of crude oil was approximately $3.50 per barrel. It is now in the $11.00-per-barrel range, and more likely to increase than to decrease for the foreseeable future. What is perhaps even more ominous: the United States is and will be increasingly dependent on foreign sources for, in addition to oil, some 69 of the 71 other raw materials considered vital to a modern industrialized society, and there have been numerous indications that the various suppliers of those materials—including many underdeveloped nations which have been particularly hard hit by escalating energy costs—may have to raise their own prices to unprecedently high levels.

Soaring oil prices themselves have erased the once mountainous cost differential between nuclear-powered and fossil-fueled

ships. Because of the complex technology involved in their construction, as well as the many additional safety features required, nuclear ships cost appreciably more than oil-fired ships to build. But not to operate. Maritime Administration studies indicate that nuclear-powered ships with high SHP (shaft-horsepower) ratings already are more economical to operate, at the 120,000 SHP level, than oil-burning ships when the price of oil is at about the $3.50-per-barrel level. As the price of oil goes up, the break-even SHP level for nuclear ships goes down. With fuel costs, according to a *London Times* report of April 18, 1974, now accounting for "up to 40 per cent" of a ship's total operating costs—"compared with 16 to 18 per cent a year ago"—the economic advantage clearly lies with nuclear ships. MarAd officials say, at SHP ratings of 80,000 SHP or higher, and by 1980 the nuclear break-even level is expected to drop to the neighborhood of about 40,000 SHP. The difference in operating costs at the various SHP level cited is more than sufficient to offset the higher construction (and, initially, at least, insurance) costs for nuclear ships.

FEWER SHIPS, FEWER PEOPLE

Insurance, operating, and initial construction costs are not the only economic factors involved, of course. There are several others, almost all of which favor the nukes.

Productivity is the most important, and can be measured several different ways. One way: with all other factors assumed equal, a nuclear-powered ship should be able, with only a straight-line increase in operating costs, to speed across the ocean at anywhere from one and one-half to twice the speed of an oil-burning ship (higher speed on oil-burners increases operating costs geometrically, rather than on a straight-line basis). The end result is that one nuclear ship will be, in the circumstances given, perhaps twice as productive as one fossile-fuel ship. To attain a certain productivity level, therefore, would require construction of either X number of nuclear ships, or 2X number of oil-fired ships.

A related factor: manpower costs. A nuclear ship requires a slightly higher manning level. Because fewer nuclear- than conventionally-powered ships would be required to attain a given productivity level, however, total manpower requirements would be lower for a nuclear fleet.

The nukes gain another small advantage from the fact that the nuclear propulsion plant, encapsulated and protected by several redundant layers of shielding material, takes appreciably less of a ship's interior space than the propulsion plant of a conventionally-powered ship of the same SHP rating. Nuclear ships therefore have more space for cargo. (A new CNSG—Consolidated Nuclear Steam Generator—developed for MarAd by the Babcock and Wilcox Company, Assistant Secretary of Commerce for Maritime Affairs Robert J. Blackwell told a House Appropriations subcommittee earlier this year, "is six times as powerful [120,000 SHP] as the [22,000 SHP] unit on the *Savannah* and will occupy about the same space in the vessel as the nuclear plant in the *Savannah*.")

EIGHT KEY FACTORS

There are a number of other "key factors," eight in all, which MarAd officials familiar with the program say "favor selection of nuclear propulsion for commercial ships." A brief explanation of each:

(1) Nuclear ships assure stability of fuel supply and price—The future cost of nuclear fuel, like the cost of other commodities, undoubtedly will fluctuate somewhat in the world market according to traditional laws of supply and demand. But it will remain relatively stable compared to the cost of oil, which is likely, as recent world events have indicated, to soar to ever higher levels and, depending on unforeseeable military and political circumstances, to fluctuate erratically during any specific time frame.

(2) Use of nuclear power eliminates the requirement for continual fueling and fuel ballasting—An operational necessity which is not only time-consuming and wasteful of manpower, the fueling/ballasting sequence also poses a separate hazard to the environment (from oil spills) during each phase of each operation.

(3) Nuclear vessels attract highly trained personnel—It can be demonstrated that, in general, the better and more highly skilled (and highly paid) the crew, the lower the turnover rate, the more productive the ship, and the fewer the accidents.

(4) The total system cost of nuclear ships provides a rate of return acceptable to the financial community—here, as in any business, it is the bottom line on the balance sheet that counts. And that line—in the case of one random example (of a 400,000 deadweight ton supertanker) extracted from various MarAd economic analyses—indicates that in 1980 a nuclear ship will be able to deliver oil from the Persian Gulf to the United States at a total cost of $8.15 per long ton, compared to a cost of $9.58 per long ton for delivery by a conventionally-powered ship.

(5) Nuclear propulsion affords improved performance—Nuclear ships are faster, cleaner, simpler in most respects to operate and maintain, and, as noted, considerably more productive.

(6) U.S. industry already leads the world in nuclear technology—N.S. SAVANNAH, construction of which began in 1958, was the world's first nuclear ship. During its eight-year operating lifetime, 1962–70, it accomplished all original research and development objectives and gave U.S. government and industry planners a technological data base of inestimable value. Planning which began in the late 1950s for a "second generation" of nuclear merchant ships expanded and refined the SAVANNAH base. Development of ever more efficient nuclear plants for Navy ships and construction of numerous land-based nuclear power plants have required, and resulted in, a still rapidly growing U.S. nuclear industry which in its various components is undoubtedly the most capable, most efficient, and most experienced in the entire world.

(7) Construction of a nuclear fleet will have a favorable effect, in at least two ways, on the U.S. balance-of-payments situation—First: Most of the cost of nuclear fuel will remain in the United States, whereas at least half of the cost of the fuel which would be required by a conventionally-powered ship ($5,562,000 annually in the case of a 400,000 dwt tanker, assuming, conservatively, a $10.50 per barrel price for oil) will be paid to foreign suppliers. Second: U.S. shipbuilders are not yet fully competitive with foreign builders in construction of conventional tankers and supertankers, which means that foreign builders are likely to retain a larger share of the conventional tanker/supertanker market, even in construction of ships intended for use in the U.S. trades. The American technological edge in construction of more complicated ships (particularly containerships, LNGs and nuclear ships of any type) means that U.S. builders are likely to have the lion's share of the market for such ships in not only the U.S. trades but on foreign routes as well. What it boils down to is this: if a ship is relatively simple to build, it's usually cheaper to buy from a foreign yard; if it's complicated and requires highly sophisticated construction technologies, however, American yards may now offer the lowest price.

(8) Nuclear ships are less harmful to the environment: smoke and soot into the atuse hundreds of thousands of barrels of oil, and discharge pollution from same into the environment—Conventional ships annually mosphere, and oil (sometimes enormous quantities of it) into the oceans and offshore estuaries. In contrast, so stringent are and will be the safety and environmental standards for nuclear ships, MarAd officials believe, that the possibility of nuclear pollution will range from non-existent to minimal. Marvin Pitkin, MarAd's Assistant Administrator for Commercial Development, addressed the subject in a recent status report on the U.S. nuclear ship program: "We have recognized that nuclear-powered ships are likely to be subjected to the same attention by environmental interests as shore-side nuclear plants and have started a program of environmental studies on nuclear ships. These studies will be the most comprehensive assessment ever undertaken of the environmental effects of nuclear-powered ships. We believe that when all the pros and cons are evaluated, comparing the nuclear ship against its conventional fossil-fueled counterpart, the nuclear ship has the advantage from the standpoint of effect on the environment."

DOMESTIC AND FOREIGN COMPETITORS

There's a somewhat gray, not to say grim, flip side to the otherwise bright picture. Huge problems remain to be solved—solution is a matter of when, however, not if. But bureaucratic delays, budgetary cutbacks (either mandated by Congress or self-imposed by the Administration), and/or presently unforeseen (and unexpected) design problems could singly or collectively stretch out the planned U.S. nuclear merchant marine program to the point where foreign competitors take the lead which American builders now hold.

The list of foreign builders is short but formidable. Among the leaders: the Soviet Union, of course; France, which has recently announced plans to construct an 80,000 SHP 650,000 dwt tanker, and which reportedly expects to invest a total of $5.5 billion to expand its merchant fleet over the next five or six years; Japan, already by far the largest shipbuilding country in the world (but currently, according to the authoritative Shipbuilders Council of America, suffering from massive financial difficulties which could force a 50 per cent increase in Japanese shipbuilding prices); West Germany, which has had in service since 1968 the N.S. *Otto Hahn*, powered by a Babcock and Wilcox CNSG plant and sometimes described as the first "second generation" nuclear merchant ship.

TIGHT MONEY MARKET

There are other obstacles. Business Week reports (May 18, 1974) of a "supertanker steel squeeze" imposed on private yards by the Defense Department, supposedly at the request of "Navy brass." The Navy wants to slow down merchant ship construction, it is alleged, "because it is having trouble getting competitive bids on the ships it wants to build." Edwin Hartzman, president of Avondale Shipyards, Inc., is quoted as saying the Defense embargo, if upheld, "will drive billions of dollars of ship construction to foreign shipyards."

Financing factors also have to be considered. The money market is already extremely tight, and the heavy capital outlays required, even with partial Federal subsidies, for construction of ships costing a minimum of $100 million (usually much more) and taking several years to put into operation give considerable pause to already skittish investors. The fact that over the past several years, according to Shipbuilders Council President Edwin M. Hood, shipyard profit margins have "generally been unsatisfactory" is not too encouraging, either.

"Superports," or lack thereof, pose additional complications. No U.S. harbor—except, now being built in increasing numbers and perhaps, Puget Sound—is presently capable of handling the mammoth VLCCs and ULCCs destined to carry a major share of all future

U.S. trade tonnage. Offshore deepwater unloading facilities, or superports, are the answer. But construction of such facilities has been opposed by environmentalists and others.

In the long run, the pitfalls and problem areas enumerated, and a host of others which could be mentioned, are of little significance. All difficulties can be solved, all problems overcome. *Provided* the nation as a whole is willing to pay the price: not only in dollars, but also in inconvenience, in effort, in imagination, in creative energy, and in allocation of public and private resources.

The goal, much more than economic, is, it would seem, well worth the striving. As Rear Admiral George H. Miller, Naval Advisor to the Assistant Secretary of Commerce for Maritime Affairs, said in Sea Power in February 1972: "The U.S. merchant marine is a major component of our entire national security and international relations structure. Our country's influence in the world, our national security, and the health of our civilian-industrial economy depend on having enough ships, navy and commercial."

"Enough ships," two years ago, meant simply that: enough ships. By the end of the present decade and beyond, however, "enough ships" will mean much more. In a rapidly changing political, economic, and national security milieu it will mean for the U.S. merchant marine, as it already does for the U.S. Navy, sufficient numbers of ships of various types: LNGs, containerships, supertankers, and the many other specialized vessels now operational or on the drawing board. It will also mean ships which are economically viable, highly productive, and able to hold their own in world competition. It will mean, therefore, in the context of present world conditions, nuclear ships, in relatively large numbers, as well as ships which are conventionally-powered.

TWO HUNDRED NUKES: THE PITKIN PLAN

In a recent "status report" on "the U.S. competitive nuclear merchant ship program," Marvin Pitkin, the Maritime Administration's Assistant Administrator for Commercial Development, outlined the following seven-stage "realistic view of the future":

"1. Economic demonstration ships, probably an initial order of three VLCCs [very large crude carriers], will be ordered in the United States, with government financial assistance, in the reasonably near future. These vessels could enter service at approximately six-month intervals during the period 1978–79 and by 1980 will have demonstrated the economic superiority of nuclear propulsion.

"2. Nuclear-powered vessels for Arctic applications will be ordered in the period 1975–76 and will enter service in the 1980–81 period, providing further evidence of the merits of nuclear propulsion.

"3. The above demonstration vessels will lead to the initial penetration of nuclear-powered ships into a variety of ship markets during the period 1980–82 *with no special government assistance* [emphasis added]. In other words, nuclear propulsion will be competing for orders against fossil-fueled propulsion systems in the same kind of competitive situation as exists today vi-a-vis gas turbines competing against steam turbines.

"4. In the period 1982–85, nuclear will be winning multiple orders in all classes of high productivity ships: i.e., VLCCs, containerships, RO-ROs [roll-on/roll-off ships], barge carriers, Arctic vessels, and perhaps LNG [liquefied natural gas] carriers. As a result of the rapidly rising orders backlog which will develop by 1985, new shipbuilding facilities specifically designed for nuclear ship construction and repair will appear. By 1990, at least 50 nuclear-powered ships will be on order, under construction, or in service.

"5. During the mid-1980's, the market growth period, other shipyards and reactor equipment manufacturers will introduce third and fourth generation nuclear propulsion systems, enhancing the competition for future orders.

"6. During the 1980s and on into the decade of the 1990s, nuclear ships will be marketed worldwide and, with international agreements having been consummated in the mid- to late-1970s, nuclear ships will operate freely between all maritime nations.

"7. By the end of the century, the United States should have in excess of 200 nuclear-powered merchant ships in service or under construction."

BUT COLSON STILL HAS A DRIVER'S LICENSE

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. KARTH. Mr. Speaker, many Americans in Washington, D.C., and throughout the Nation have been puzzling over Charles Colson's ballyhooed conversion to evangelical Christianity. William Sumner, editor of the St. Paul Dispatch and Pioneer Press, raised a number of important questions about this White House operative turned humble convert in a recent editorial. I wish to insert this worthwhile article into the RECORD at this point:

CONVERSION AND THE CIA—BUT COLSON STILL HAS A DRIVER'S LICENSE

(By William Sumner)

This party has remained skeptical of Colson's Conversion since the beginning.

A part of this comes from an uncontrollable and deep-seated prejudice against people who thump Bibles, pray a lot in public and paint such things as "Jesus Saves" on rocks.

The basic ingredient of skepticism, however, comes from Charles Colson's basic rottenness.

Can't the sinner come back to the fold? Of course he can.

But until proved otherwise, Charles Colson, erstwhile aide of President Nixon, who now says he has turned to Christ, shall remain a political Elmer Gantry, a fellow who said something about running over his own grandmother if that is what it would take to re-elect Nixon in 1972.

Further seeds of doubt were cast Monday on reading Colson's scenario about a President under siege by the Central Intelligence Agency, a captive of high-ranking conspirators in intelligence circles.

Why didn't the President say, "Help!"?

Because, according to the account of the Colson story, he feared international and domestic political repercussions.

I hate being a cynic. Really. But I don't believe Colson. He may have been praying like Hell with Sen. Hughes and Rep. Albert Quie, but it is the notion here that it has been a gambit.

Colson's story, related by a private investigator in Washington, to whom he "confessed," would serve to get the President off the hook so far as any criminal complicity in the Watergate scandal was concerned.

It would also make the President look like a damned fool. The last, unfortunately, is the better of his two choices, although not too choice for the country.

Anyway, here you have a story about a President of the United States, seemingly helpless to fend off the CIA, the Pentagon and the evil forces that sought to discredit his inner circle of advisers.

Many from this circle have gone to prison or have paid fines, having pleaded guilty, so it might seem to the normal person that they brought shame upon themselves.

But now we have the devil theory in operation, and by a man considered—in his prime—as the Devil's right-hand man. The trouble is that the story, as related so far, makes no sense, unless you assume the President is a moron. And he is not.

The entire story is so crazy, however, one man's version or another's, that it would be a mistake to dismiss Colson out of hand. There are three possibilities, and we must keep our options open:

1. Colson is a liar.

2. Colson has become a foxhole Christian, is praying madly, and thinks he is telling the truth.

3. Colson is telling the truth.

The truth, I think, will elude us forever, which gets us back to the Galbraith theory that we are in far more danger if the President has remained ignorant than we would be if he had planned the entire operation.

Now I am not such a cynic as Galbraith, but am inclined to accept this one theorem of his.

And as for Colson, one can only speculate as to his righteousness, his oneness with God, and what could be the greatest Sting in the town of Washington. If you haven't seen the movie, that is the ultimate con.

OPIUM GROWING IN TURKEY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. WOLFF. Mr. Speaker, I am sure that all of my colleagues are well aware of the terrible consequences that heroin addiction has, both to the addict and to society at large. One of the proven ways to combat the flood of heroin to our shores is through a ban on opium poppy cultivation by the Turkish government. Unfortunately, Turkey has today announced that it will resume the cultivation of the opium poppy.

WOR–TV in New York City recently broadcast an editorial expressing their concern over the Turkish situation and the heroin that would reach the shores of the United States if the ban is breached. I commend it to my colleagues and urge them to give their most serious consideration to a measure I recently introduced, House Concurrent Resolution 516, which would cut-off all U.S. economic aid to Turkey. The WOR editorial follows:

TURKISH OPIUM BAN

(By John Murray)

In 1972, the Turkish government agreed to supress the growth of the opium poppy. Since then, there has been a dramatic decrease in the amount of heroin available in the streets of New York.

Recent unofficial reports indicate that the United States government may shortly agree to the lifting of the ban on production of the Turkish opium poppy. The City's addiction services agency has registered grave concern over the recent reports that opium will again be grown in Turkey.

The fact is that the ban on Turkish opium growing since 1972 has been extremely effec-

tive. If the ban were to be lifted, we could once again see a dramatic upsurge in the availability of pure heroin in New York, with a consequent rise in addiction and addict related crimes.

Because of the extremely short supply of heroin in the streets of New York since 1972, the purity of street heroin has declined, from an average of 7.7 percent to an average of 3.7 percent. Moreover, the past year has seen a marked decrease in New York City in overdose deaths due directly to heroin, as well as a decrease in drug related hepatitis. The short supply of Turkish heroin is significantly responsible for the decrease.

These encouraging statistics can also be attributed to the lower availability of heroin in the streets of our City.

So now is the time to persevere in our efforts to stem the tide of drug addiction. Banning the cultivation of Turkish poppy fields is a major step in this direction.

THE BENEVOLENT UNCLE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. STEIGER of Wisconsin. Mr. Speaker, as I read the mail from my district and listen to my constituents, I am aware of a more rapidly rising concern about the magnitude of Government spending and the glut of Government programs. Double-digit inflation and a bottoming-out of the economy has brought popular awareness of the need for governmental fiscal restraint to a new high.

At the same time, we in the House are constantly confronted with disaster situations allegedly resolvable only by Federal Government relief—which means more spending and bureaucratic expansion.

In his latest Washington report, our friend and colleague BARBER CONABLE has, as usual, pointed out the land mine which lies just below the surface as we venture into these fields. As he writes:

When you're passing out other people's money, and that's what tax money is, sooner or later you've got to impose conditions. As a matter of fact, taxes themselves can become a pretty onerous condition.

And, as he stresses:

This is how freedom is eroded by public generosity.

I am sure our colleague is speaking for many of us when he concludes:

The proliferation of special relief programs . . . has created in many of us in government a most uneasy feeling.

His full Washington report follows:

THE BENEVOLENT UNCLE

From bales of cotton to baling wire itself, from water over the river banks that have lost their liquidity, everybody seems to feel the federal government should bail them out. Government is so pervasive nowadays, with its taxes and its regulations and its controls affecting everything that people do or want to do, that when something goes wrong you don't have to look too far to find some way of blaming it on the government and seeking restitution. Did a high wind tip over your mobile home? Did the energy shortage leave you with big cars your dealership couldn't sell? Did you buy a lot of feeder calves, gambling on the price of beef going up and then it went down? Did you work for a concern that sold chickens the Agriculture Department found contaminated with pesticide and ordered killed? Is foreign competition tough on your business? Well, in today's environment you don't have to face it alone; you have a benevolent uncle in Washington who will step between you and adversity, or at least make you whole if fate has been unkind.

Every act of benevolence becomes a precedent for every suggested extension of Uncle Sam's protection. A humanitarian people does not like to see suffering, and the saying goes, if you're going to help the Hottentots, you'd better be willing to help your own people. Such logic is difficult for a politician to withstand; it strongly flavored Gordon Sinclair's famous "pro-American" statement which was so popular a few months ago.

But like everything else the government does, disaster programs, if extended beyond real disasters, can poison as well as cure. Without balance and restraint, government has a tendency to get out of control. With opportunity goes risk, and riskless societies, like communism, don't offer much in the way of opportunity.

Governments should do for people what they cannot do for themselves, and politicians must impose conditions on their benevolence. If all taxpayers are required to contribute to repairing the damages wrought by floods, shouldn't those benefitting from such a program be expected to rebuild their homes somewhere else than on the bottom of the flood plain? This is how freedom is eroded by public generosity. When you're passing out other people's money, and that's what tax money is, sooner or later you've got to impose conditions. As a matter of fact, taxes themselves can become a pretty onerous condition, affecting not only those who are untouched by disaster but those whose earlier difficulties become the precedent for payments to similar disaster victims later.

It's hard to tell someone who's in trouble that he should restrain his enthusiasm for having the taxpayers bail him out. Obviously there are situations in which there is no alternative in a humane system. But the proliferation of special relief programs—for people who, perhaps, we should try to find restitution from some other source before they turn to their benevolent uncle—has created in many of us in government a most uneasy feeling.

MRS. ALBERTA KING

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. FULTON. Mr. Speaker, the violent and senseless taking of the life of Mrs. Alberta King has stung the heart of America. For a family which has suffered so much tragedy through violence, Sunday's shock must be almost unbearable.

Mrs. King was a woman who loved her family, her garden, her church, and her God. In the words of her husband: "She went home while serving the Lord."

There is at least some thread of rationale and logic in the violent acts of political extremists and militants. But death at the hands of a madman is more tragic, because it is senseless and meaningless.

A brave and kindly mother who cared and worried for the safety of her sons is now a victim of senseless tragedy which also claimed them.

We are shocked and grieved. Our condolences and prayers go out to her family.

CITIZENS NEED REASSURANCE THAT IRS SHOWS NO FAVORITISM IN INCOME TAX AUDITS

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. TIERNAN. Mr. Speaker, on January 29, I introduced H.R. 12372, a bill to establish an independent commission to administer the internal revenue laws. The Watergate hearings highlighted the dangers of political interference with the administration of our tax laws. Political allies may receive favorable treatment while political opponents may be harrassed. When the average citizen hears stories about a rich political ally paying no taxes, he loses faith in our tax laws. The backbone of the tax system in the United States is the voluntary compliance of the average citizen. But if he loses faith in the integrity of the administration of our tax laws, the system may collapse.

The Christian Science Monitor printed an article on this topic on Friday, June 28, 1974, and I would like to submit it for the RECORD. I urge my colleagues to actively support the concept of an independent IRS and push for passage of such legislation in the near future.

The article follows:

CITIZENS NEED REASSURANCE THAT IRS SHOWS NO FAVORITISM IN INCOME TAX AUDITS

(By David R. Francis)

WASHINGTON.—After President Nixon's unhappy experience with his income-tax returns, future presidents undoubtedly will be more careful in going over their tax forms, more cautious in the use of fancy tax-saving gimmicks.

Nevertheless, there remains a need for some system to assure the public that the administration of the tax laws is evenhanded for all taxpayers.

The public must be confident that top government officials do not receive what Thomas F. Field, executive director of Taxation With Representation, terms a "sweetheart audit."

That's the kind of audit the Internal Revenue Service gave Mr. Nixon's returns first time around.

The President even got a nice letter from the district director of the IRS in Baltimore.

"I want to compliment you," wrote William D. Waters on June 1, 1973, "on the care shown in the preparation of your returns."

Then an indignant IRS agent illegally leaked the President's tax returns to a newspaper. Consequently, the IRS made a second audit this year. The result: the President owed $432,787.13 in back taxes.

The news that the President, earning $200,000 a year, paid almost nothing in taxes was a shock to the public. It apparently has badly damaged the reputation of the federal income-tax system.

A new poll taken for the Advisory Commission on Intergovernmental Relations finds that only 26 percent of the public consider

the income tax the fairest tax. Two years ago a similar survey showed that 36 percent ranked the income tax fairest.

This is a serious development. The federal income tax depends largely on voluntary self-assessment by the taxpayers. More people may cheat on their taxes if they feel the system is unfair.

Since income taxes are the dominant source of federal revenue, widespread tax evasion would weaken the government.

Mr. Field, who manages a struggling organization of tax experts striving to represent the public interest, figures the problem of auditing the tax returns of high officials "will be with us long after Richard Nixon is gone."

Up to this past winter, IRS officials apparently assumed that tax returns of presidents were above reproach. Congressional testimony showed that as a rule they were delivered from the White House to the office of the commissioner of the IRS. After not much more than a glance, they were put in a safe.

It's not that the IRS necessarily would consciously handle a president's return with favoritism. Most IRS commissioners, including Donald C. Alexander, the current one, and their subordinates, are men of great integrity.

But appearances are important. Any suspicion of tax monkey business must be removed.

As it is, many wonder whether IRS agents can be fair in auditing their "bosses."

Writes Joseph S. Hocky, a Philadelphia tax attorney: "It is difficult indeed for an Internal Revenue agent to pass judgment on a tax return of a president or other high government official. The president is at the top of a chain of command which starts with the agent. . . . It is impossible for him not to remember that his performance, and the performance of his superior, and his superior's superior, etc. are evaluated in a direct line upward to, and ending with, the president".

A high staff official with the congressional Joint Committee on Internal Revenue Taxation comments: "No IRS official will give the commissioner's return a very hard look. Nor would any agent give the Secretary of the Treasury's return a hard look. I don't know what the answer to this is."

He might have added that the IRS agents might also feel some constraint in examining the tax returns of the key members of the congressional tax committees.

So far Congress has made no moves to deal with this problem.

If they do, members of Taxation with Representation have some suggestions.

One relatively easy solution would be to have the statute of limitations applicable to tax returns begin when a president, vice-president, Treasury-secretry, and IRS commissioner leave office.

Then, notes Martin B. Cowan, a New York tax lawyer, the president would no longer have the massive power of the office of the presidency behind him. He would be more likely to enjoy the same privacy and other protections accorded other citizens.

The same idea applies to the other officials.

Other suggestions call for some independent body such as the General Accounting Office to examine the returns of these key officials. Another plan is that the Joint Committee on Internal Revenue Taxation do it, a congressional body.

Commissioner Alexander holds that such outside audit is not necessary: "We think we can do this job effectively, fairly and evenhandedly," he told the Montior. "We will audit those who deserve to be audited regardless of their position or status."

IRS intentions may be good. But the experience with President Nixon's return shows that for the sake of appearances, if nothing else, it would be sensible to devise some other scheme for assuring independent audit of the returns of the president and other key officials.

DEBT RESCHEDULING FOR PAKISTAN

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. HAMILTON. Mr. Speaker, the Aid-to-Pakistan Consortium, which is composed of a group of creditor states under the chairmanship of the World Bank, recently received Pakistan's acceptance of a proposal for debt relief in the form of rescheduling debt payments totaling $650 million. This represents a little more than one-half of Pakistan's orignal request for debt relief. It was felt that because of the particular problems arising out of the events of 1971 and the birth of Bangladesh such a generous scheme was appropriate. The U.S. share of the relief is about 32.5 percent of the total.

In agreeing to this plan, the United States made it clear that this rescheduling is the final settlement of the debt division issue between Pakistan and Bangladesh and that there can be no further rescheduling based on what happened in South Asia in 1971.

A letter from the Department of State detailing this debt relief for Pakistan follows:

DEPARTMENT OF STATE,
Washington, D.C., June 27, 1974.

Hon. LEE H. HAMILTON,
Chairman, Subcommittee for Near East and South Asia Affairs, Foreign Affairs Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Secretary has asked me to advise you of the status of the United States Government's debt rescheduling negotiations taking place within the framework of the Aid-to-Pakistan Consortium, which is composed of a group of creditor countries under the chairmanship of the World Bank.

These negotiations are in response to unique circumstances that have arisen as a result of the 1971 war and the independence of Bangladesh. In view of applicable international law, Pakistan retains responsibility for all external debts contracted prior to the war totalling some $3.5 billion. After the war Pakistan nonetheless insisted that debts resulting from programs of primary benefit to Bangladesh, which it estimated at about $1.2 billion, should be paid by Bangladesh. For its part, Bangladesh affirmed its intention to assume the international responsibilities incumbent upon a sovereign state, including a portion of the external debt of the formerly united Pakistan, but only within the context of an overall financial settlement.

The western creditors, including the United States. have been working to develop a procedure to overcome the impasse. Our primary objective has been to avoid a default on any portion of the total debt. We have also sought to frame any agreement in the context of Pakistan's unique situation so as to avoid setting an undesirable precedent for other countries.

A solution to the problem acceptable to the creditors now appears at hand. Bangladesh has agreed in principle to assume liability for projects visibly located in its territory and negotiations to identify such projects and determine terms of repayment are well advanced. Bangladesh is likely to assume liabilities of about $400–$500 million from all Consortium creditors. The United States has been particularly successful in its negotiations with Bangladesh, with Government of Bangladesh having indicated a willingness to accept United States' claims totalling approximately $80 million. Consortium members have agreed in principle to provide generous terms on the debt which Bangladesh accepts.

Pakistan has also indicated a willingness to fully repay all debts not picked up by Bangladesh, including those arising from commodities delivered to the former East Pakistan, provided debt relief is given so as to reduce the burden of these debts. All creditor countries agree that there is merit to Pakistan's position and have been engaged in informal debt relief discussions over the past several months.

At a special meeting of the Pakistan Consortium on June 12, the World Bank informed the Consortium that the Finance Minister of Pakistan has accepted the Consortium's proposal for debt relief in the form of rescheduling debt payments totalling $650 million. This represents a little more than one-half of Pakistan's original $1.2 billion request for debt relief. The $650 million proposal will spread debt relief over four years, providing $175 million for each of the first three years and $125 million for the fourth. The proposal allows a creditor not meeting its relief quota in a particular year to provide additional compensating relief in a subsequent year or years, so long as the present value of the relief remains unchanged. The United States' share of relief to be provided over the four years is about $211 million (we will actually elect to reschedule about $230 million over 5½ years), or approximately 32.5 percent of the total. We believe this amount is reasonable, particularly since the United States is the creditor on two-thirds of the debts originally disputed by Pakistan.

The rescheduling arises from unique circumstances, and both the amounts and terms involved reflect this. Furthermore, the United States has made it clear that this rescheduling is a final settlement of the debt division issue and that there will be no further rescheduling based on the events of 1971 in Pakistan.

All of the Consortium creditors at the June 12 meeting indicated their intention to recommend formal acceptance of the agreement to their governments. The creditors were hopeful that a final settlement could be officially approved by June 30.

I will be happy to provide any additional information you may require on this matter.

Sincerely,

LINWOOD HOLTON,
Assistant Secretary for Congressional Relations.

SPECIAL ORDER ON DÉTENTE AND THE CURRENT SUMMIT TALKS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. DENT. Mr. Speaker, I am so very sorry that I was not able to stand on this House floor with my distinguished colleagues several days ago in the special order of Mr. BLACKBURN on détente and

Mr. Nixon's Mocow summit. I understand that some very cogent and important points were made by those who participated and I would like to commend them for their intelligent use of the special order.

I can only add that I am as distressed as anyone as to the potentials for disaster in many of our trade agreements with the Soviets. I am reminded of Walter Cronkite's fine television interview with Aleksander Solzhenitsyn in which Mr. Solzhenitsyn expressed puzzlement at the U.S. concept of détente in light of the Soviet concept. He said:

There is not peace because of trade; there is trade because of peace.

In other words as soon as we start squabbling with the Russians they will pull the rug out from under all our fine reciprocal trade agreements.

There are a myriad of other inherent problems to détente; racial problems, domestic problems, and strategic problems to name a few. The point is this: with so many problems staring us in the face on this thing I think it is a dangerous tendency on the President's part to engage in such rapid-fire meetings with the Soviets. I applaud any chance whereby we might get to know the Russians better to get along with them better. But I am fearful of this sudden policy of easy access in the light of former opposite policies maintained by the Soviets.

It is curious, and yet very encouraging to realize the attitudes of the members of our so-named liberal establishment in this regard. For years they have urged our cooperation with the Soviets in every aspect. But recently that has changed, as well it should, especially, in light of political affairs in the Soviet state. One incident that has profoundly highlighted the true Russian posture is the expulsion of Mr. Solzhenitsyn from the Soviet Union, obviously for his historical project, "The Gulag Archipelago," an indictment of the Russian political past and an indication of what is to continue in the future.

Perhaps we can find some greater insight into this situation by reading Arthur Schlesinger, Jr.'s article from the Wall Street Journal, dated June 27, 1974:

ANOTHER LOOK AT DÉTENTE

(By Arthur Schlesinger, Jr.)

The news that the Soviet authorities prepared for President Nixon's visit by rounding up critics of the regime emphasizes the anomaly of détente. For détente as currently construed by the United States—i.e., the reduction of political and military tensions between the United States and the Soviet Union—has meant in practice an increase in repression in the Soviet Union. Repression is not back to Stalin's level, or anything like it, but it is worse now in this springtime of détente than it was in the bad old days of Khrushchev.

George Kennan has suggested that for the Soviet leadership détente and repression "are probably mutually compensatory." Why this should be so is obvious enough. The regime plainly feels it must take tougher measures to reinsure against the risk that the relaxation of political and military tensions might bring un-Soviet thoughts into Soviet society. Whatever the Soviet need for the stabilization of its European and Middle Eastern fronts and for capital, technology and trade, the Bolshevik government is determined not to expose its people to competing ideas. Nearly 60 years after the revolution, it evidently still doubts it can survive what it continues to anathematize as "ideological coexistence." For all we know, it may well be right.

What is less obvious is why the United States government should go along with this; why indeed it should tacitly bless the return to repression by presidential visits to Moscow. Yet there are some cogent reasons for the administration's readiness to embrace a détente limited to political and military spheres.

The first argument for limited détente is that "the foremost requirement of American foreign policy," as President Nixon said early this month at Annapolis, is to lessen the chances of nuclear war. This, Dr. Kissinger, tells us, is the "overwhelming reason" for détente—a reason that has its own moral weight and must have precedence over every other concern. Given this overriding objective, the administration asks whether we can afford to let preoccupation with lesser problems, such as human rights in the Soviet Union, endanger the supreme goal, which is the universal human right to escape nuclear incineration. Détente in those terms, the administration adds, does not imply approval of internal arrangements in the Soviet Union.

The second argument is that, in any case, history shows that the capacity of one power to alter the domestic policies of a comparable power is strictly limited. Mr. Nixon sounded hypocritical when he claimed that the United States entirely rejected the notion of transforming "the internal as well as the international behavior of other countries." We Americans have been perfectly ready to attempt precisely this when we thought we could get away with it. If he had said "other great powers" instead of "other countries," however, he would have had a point. Mr. Brezhnev is not likely to be much more responsive to an American demand that he, say, permit the publication of "The Gulag Archipelago" that Mr. Nixon would be to a Soviet demand that he comply with the subpoenas of the House Judiciary Committee.

DÉTENTE OR PRESSURE

The third argument has not been publicly expressed but is an essential part of the case. This is that, in the long run, détente will be a more effective means than pressure of liberalizing Soviet society. Continued tension would only perpetuate the siege mentality. But the reduction of tension and the improvement of living standards through technological and economic progress will eventually and inevitably, it is said, lead to democratization. Some Soviet dissenters, notably the historian R. A. Medvedev, also make this argument and therefore oppose the effort to force immediate reforms through such external means as the Jackson amendment.

Other Soviet dissenters, notably Solzhenitsyn and Sakharov, take an opposite view. So do many American liberals and intellectuals; and so of course do Senator Jackson and other members of Congress. Critics of the Nixon-Kissinger version of détente are skeptical about "in the long run" arguments. They strongly doubt, as Sakharov has written, "that economic links will have inevitable consequences for the democratization of Soviet society." They feel that, because the avoidance of nuclear war is in the Soviet interest too, the American government will not endanger political and military détente by speaking out against repression. They do not think that, in asking the Soviet Union to behave like a civilized state, they are demanding (as Dr. Kissinger accuses them of demanding) "the transformation of the Soviet domestic structure." In a thoughtful report to the House Foreign Affairs Committee, a subcommittee under the chairmanship of Donald M. Fraser of Minnesota (who is also chairman of Americans for Democratic Action) praises "the objectives of détente" but adds that "cooperation must not extend to the point of collaboration in maintaining a police state" and recommends that the American government "be forthright in denouncing Soviet violations of human rights."

What is one to make of this debate? None of the questions involved is easily answered. Will detente and improvement in living standards produce a more liberal society in the Soviet Union? No one knows. High living standards did not save Germany from Nazism. On the other hand, the idea of the American government setting itself up as the moral judge of other nations suggests delusions of righteousness and crusades to reform mankind. I think myself that the Jackson amendment, as Averell Harriman said recently, has outlived its usefulness. It was more potent as a threat than it would be as a law. Moreover, it hardly reaches the heart of the matter, which is not freedom of migration, but as Medvedev has said, the creation of a society from which people would not want to migrate. Still the probability remains, in Sakharov's words, that "detente without democratization would be very dangerous" for the West. And the Soviet Union appears to have a sufficiently strong need for the American connection—Mr. Brezhnev himself may have such a heavy personal investment in detente—for Moscow to yield ground on such questions as Jewish emigration. Human rights pressure, in short, has not been completely in vain.

So one may argue back and forth. But one thing is clear. However useful human rights pressure may be in limited quantities, or however hazardous it could become as a major determinant of foreign policy, Americans do not have a real choice at the moment under the present government. The Nixon administration is just not going to do much on behalf of human rights in other countries. It is simply not in its bones thus to act. It has shown little concern for human rights in the United States or in countries that depend on American support and might be somewhat responsive to American pressure like, say, South Vietnam or Greece. Why should anyone expect it to care about human rights in the Soviet Union? Nothing delights our President more than hobnobbing with dictators; one has only to watch the expressions on his face. Mr. Nixon's personal sympathy with the people making trouble for Mr. Brezhnev is unquestionably well under control. After all, exactly the same kind of people are making trouble for him at home. So there is a ghastly logic in this week's Moscow gala.

With our government thus immobilized, the argument that non-governmental parts of American society display concern for human rights in Russia becomes irresistible. Even opponents of official action call for private action. Mr. Kennan, for example, strongly objects to such devices as the Jackson amendment. But he emphasizes quite as strongly the importance of keeping "events in Russia under the scrutiny of world attention. There is no greater discouragement that could be brought to the forces working for a more humane society than the impression that their efforts are forgotten, or viewed with indifference, elsewhere." Dissenters in Russia make this point again and again. "I want all of you to understand," Pavel Litvinov said in his first press conference after being forced into exile, "that we have survived because the West exists and in it a Western press."

When I last wrote on this subject in these pages in September 1973, I listed a number

of American professional groups, from the National Academy of Sciences to the American Psychiatric Association, that had protested the treatment of their fellow professionals by the Soviet government. I also wrote that I was ashamed not to be able to add the American Historical Association to that list. I am even more ashamed nine months later at the resolute silence of the AHA over the continued mistreatment of Soviet historians, men such as Andrei Amalrik, Valentyn Moroz, Vitaly Rubin.

A RESTRICTED STANDARD

The earlier AHA line, as set forth by the council in a meeting in September 1972, was that the AHA should express concern about the fate of Soviet historians "only in cases where a general issue is at stake, namely the freedom of any historian to use responsibly gathered facts to arrive at a reasonable interpretation." By this standard, as the then president of the AHA informed me, the organization would take no action about Amalrik, et al, on the ground that they were "not being persecuted by the Soviet regime because of their historical activities but because they have been distributing clandestinely current information embarrassing to the regime." It need hardly be pointed out that this is a shockingly restrictive standard and one, thank heavens, not employed by the National Academy of Sciences when it condemned the campaign against Sakharov, who was obviously not under persecution for his scientific activities.

Then came the case of Solzhenitsyn and "The Gulag Archipelago." It is hard to deny that writing this was an historical activity. It has been highly praised by Medvedev, despite his differences with Solzhenitsyn on other matters, as well as by Kennan and other historians. It thus meets even the restrictive standard adopted by the AHA in 1972. But still the AHA remains mute. Instead of acting under the 1972 standard, the new president has inexplicably appointed a committee to prepare a "position paper for early study by the council." Is the council waiting for historians to be drawn and quartered in Red Square before it decides to venture an objection?

I am at a loss to explain this extraordinary behavior on the part of the historcial establishment. It may perhaps be related to a desire to maintain what one member of the council described to me as "collegial relations" with Soviet historians approved by the regime. There are plans, for example for a 1974 Soviet-American historical colloquium to be held in the United States. As for the New Left historians, who used to see themselves as the keepers of the professional conscience, they may fear that the condemnation of Brezhnev's Russia could suggest there was good reason to oppose the Stalinization of Europe in the 1940s. Their unaccustomed aphonia compares most unfavorably with the forthrightness of the English radical historian E. P. Thompson who recently wrote, "We must make it clear again, without equivocation, that we uphold the right of Soviet citizens to think, communicate, and act as free, self-activating people; and that we utterly despise the clumsy police patrols of Soviet intellectual and social life. . . . Solzhenitsyn has asked us to shout once more. And we must, urgently, meet his request."

REMEMBERING "ANIMAL FARM"

The relish of the American government and, in a far less momentous way, of the American historical establishment in fraternizing with their Soviet counterparts makes one wonder how it all looks to Soviet dissenters. In a recent discussion of the Soviet intellectual underground in "Encounter" the Dutch journalist Karel van het Reve, contemplating this point, was reminded of the last paragraph in Orwell's "Animal Farm." The once revolutionary pigs are sitting around the table with the farmers against whom they had made the revolution. The lesser animals, now exploited by the pigs as once they had been exploited by the farmers, begin to see a curious blurred phenomenon as they watch the scene through the window. "The creatures outside looked from pig to man, and from man to pig, and from pig to man again; but already it was impossible to say which was which."

PEACE ON THE BEACH

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. HOSMER. Mr. Speaker, the city of Huntington Beach, Calif., is the surfing capital of the world. During the summer of 1973, the police department there initiated an innovative beach patrol program which proved to be a highly successful law enforcement program. Called the Community Liaison Patrol, its attributes have recently been written about in the June issue of the FBI Law Enforcement Bulletin by Officer William Van Cleve, of the Huntington Beach Police Department.

The patrol consisted of six high school teachers and two college students, mostly in their twenties. It helped to regulate beach activity and relieve regularly assigned police officers from beach enforcement. The success of the venture exceeded expectations.

The concept may be of use to other communities as well. Officer Van Cleve's article as published in the July issue of the FBI Law Enforcement Bulletin is set forth below:

COMMUNITY LIAISON PATROL

(By Officer William Van Cleve)

The city of Huntington Beach, like most other beach cities in the southern part of the State of California, has a tendency to double in daily population during the summer months. Most of the people are juveniles and young adults who are out of school for the summer and have plenty of leisure time. The influx often reaches as high as 150,000 persons per day along 8 miles of accessible beaches which are divided into 3.3 miles of city beach with the rest being Bolsa Chica State Beach and Huntington Beach State Park. The Huntington Beach Police Department is responsible for patrolling and providing police services to all the beaches in the city.

SEASONAL POLICING

Providing police protection and traffic and crowd control for the added population with a police department geared for a city of approximately 150,000 permanent residents presents a problem for the police department. The problem is further aggravated when the need for scheduled vacations for the police officers is taken into consideration.

In past years, the beaches had been patrolled by regular uniformed officers on an overtime basis or by on-duty officers. This practice, although necessary, seriously depleted police services to the rest of the city, which encompasses 26 square miles of land.

The permanent residents of the city lost in two respects. One was the loss of police services during the summer months when the incidences of all police-related activities are at their highest, and the other was having to pay for police services for the beach goers, the majority of whom did not live in the city.

Past years have indicated that the majority of the delinquency and criminal violation problems occurring in the beach areas was created by nonresidents. The combination of accessibility, parking, and the city's reputation for having some of the best surfing conditions on the coast attracts the nonresident beach goers. Also, the city hosts the U.S. National Surfing Championships each year.

Many factors had to be taken into consideration in dealing wih the problems confronting the police department. One was the use of regular officers on off-duty time. This practice was found to be both costly for the city and tiring for the officers. By the end of summer, the strain of consistently long hours tended to make these officers less tolerant than they normally would be, and this created problems that could possibly have been averted or handled differently by fresh personnel.

Also, strict enforcement of otherwise minor violations, such as dogs on the beach, created negative public relations, as did the presence of more than a minimal number of uniformed police on the beaches.

It became apparent that a program should be implemented which would more effectively reduce or discourage juvenile violations and related undesirable activities. Such a program would also decrease the seasonal overloading of local police officers and reduce the possibility of negative public contacts.

PROGRAM IMPLEMENTATION

The city of Huntington Beach applied for and received a Federal grant through the Law Enforcement Assistance Administration (LEAA) to assist in the implementation of a program to employ and equip a temporary police patrol for the recreational beaches within the city. The program, Community Liaison Patrol, was designed as a pilot program to demonstrate the feasibility of using temporary sworn personnel to relieve regularly assigned police officers from beach enforcement and to reduce delinquency or nondesirable activity in the beach areas.

The program was implemented in the summer of 1973 by hiring eight persons, six high school teachers and two college students, mostly in their midtwenties. They were hired on the basis of maturity, stability of judgment and temperament, understanding of harmful situations, and ability to communicate with young people. They received 40 hours of training in the laws and mechanics of arrest, public relations, recognition and identification of harmful or potentially hazardous situations, search and seizure, penal code violations, alcoholic beverage violations, health and safety violations, courtroom demeanor and testimony, evidence packaging, identication of drugs and narcotics, first aid, civil rights, and personal safety. There was also a continuous process of on-the-job training throughout the summer.

At the end of the training phase, the officers were sworn as reserves and uniforms were provided. The uniforms consisted of short sleeve, wash-and-wear shirts and trousers or bermuda shorts. The only identifying marks on the uniforms were shoulder patches. The officers were provided with police badges for identification which were carried in an ID case, but no weapons of any kind were carried or displayed.

Although the officers were authorized to make arrests and issue citations, that authority was used only as a last resort. In all cases, the emphasis was on persuasion rather than force. The procedure followed was: When an officer observed a misdemeanor activity, he approached the offender in a congenial manner and discussed the violation, rather than issuing a citation or making an arrest. If, however, the person continued his unlawful activity, he was cited or arrested, as the situation dictated. This policy tended to encourage the idea among young persons that

the police representatives are reasonable human beings who are on the public's side. The primary motivation of the liaison officer was to obtain voluntary compliance of existing regulations, and to enhance good public realtions.

RESULTS

During the summer of 1973, the unit made approximately 2,000 individual contacts with people on the beaches for violation of the law, disturbances, lost children, first aid, and calls to assist other agencies (regular officers, lifeguards, fire department, etc.). Of these contacts, approximately 12 percent resulted in arrests being made or citations being issued, and they were all for misdemeanor or felony violations other than traffic. There were no major confrontations between the officers and citizens, and no complaints from the beach goers. Only four cases of resisting arrest were reported, and these were passive in nature.

The patrol definitely helped keep the peace on the beach.

THE STATUS OF FLUE GAS DESULFURIZATION TECHNOLOGY

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. BINGHAM. Mr. Speaker, flue gas desulfurization—FGD—is a generic term encompassing numerous stack-scrubbing processes for the removal of toxic sulfur oxides from power plant stacks. An evaluation of the developmental status of FGD technology must therefore take into account the specific characteristics and advantages of the various scrubber techniques.

Coal type and plant size, age, and location assure considerable latitude in choosing the best scrubber process for the job. Many of the problems which have occurred in commercially employed scrubbers derive from relative lack of experience in retrofitting existing plants; that is, the adoption of FGD systems to plants which have been operated without FGD equipment. Increasing experience in commercial installation of scrubbers will undoubtedly eliminate these mechanical and chemical bugs.

Since flue gas desulfurization offers an effective and widely applicable means to reduce toxic sulfur oxide emissions from existing and future power plants, perfection of FGD technology must remain a major environmental priority. For the benefit of my colleagues and other readers of the RECORD, I include herewith the following readings about the various scrubber technologies which have been developed and commercially applied: excerpts from the fiscal year 1973 Annual Report of the Environmental Protection Agency's Control Systems Laboratory, and an excerpt from an article in the April 19, 1974, issue of Science entitled "High-Sulfur Coal for Generating Electricity":

U.S. ENVIRONMENTAL PROTECTION AGENCY CONTROL SYSTEMS LABORATORY ANNUAL REPORT FISCAL YEAR 1973

NONREGENERABLE PROCESSES

Lime/limestone wet scrubbing

This process involves the wet scrubbing of fossil-fuel boiler flue gas (from power plant or industrial/commercial sources) with limestone or lime slurries to remove sulfur oxide and particulate pollutants. Results of several pilot-scale studies indicate that the process, of which there are several variations, is capable of high pollutant removal rates with acceptable reliability.

Testing of the principal demonstration is underway at a large-scale, multiple-configuration prototype at TVA's Shawnee Power Plant. The City of Key West, Florida, is the scene of a secondary demonstration: testing of a variation of the same process.

Lime/limestone wet scrubbing processes have the inherent advantages of low reactant costs, relative simplicity, and final products in the form of relatively inert disposable materials. These processes are widely applicable to both old and new power plants. Process disadvantages include: requirements for plume reheat, potential reliability problems (e.g., scaling and erosion), and potential solids disposal problems in some urban locations.

TVA's Shawnee Power Plant—Construction of the large-scale demonstration facility at TVA's Shawnee Power Plant was completed in March 1972; testing started the following month. The facility, consisting of three different (but parallel) scrubber circuits, can handle about 90,000 cfm of the 450,000 cfm (150 MW) output of one of the ten coal-fired Shawnee boilers. The versatile facility is being used to evaluate the performance and reliability characteristics of lime/limestone wet scrubbing systems operating under a variety of operating conditions.

Currently, factorial and reliability verification tests with limestone are complete; long-term limestone and lime tests are presently being conducted. Results to date indicate a capabiltiy for reliable operation with high SO_2 removal efficiencies.

City of Key West—The variation of the limestone wet scrubbing process being tested in Key West includes most of the general concepts of the basic process.

The City of Key West, under an EPA demonstration grant, has installed this process on a new 37-MW oil-fired boiler. In January 1974, Engineering Science, Inc. under an EPA contract, began a test program to characterize this type of a system. Testing will include long-term tests, primary variable tests, and optimization tests.

DOUBLE-ALKALI

The double-alkali process, like the lime-limestone wet scrubbing processes, produces a throwaway product consisting of flyash and calcium sulfite/sulfate. The process, in its various forms, was developed in an effort to avoid the problems associated with the use of absorbent slurries in the lime/limestone processes.

Flue gases are scrubbed, using a soluble alkali (usually sodium-based) solution as the absorbent. The spent absorbent solution is treated with lime and/or limestone in a regeneration system to produce: a regenerated soluble alkali for recycle to the scrubber system, and a throwaway product for disposal.

Although less developed than lime/limestone wet scrubbing processes, double-alkali systems show potential for attaining high sulfur oxide removal efficiency and good reliability at relatively low cost. A problem is associated with these systems, however: a potential exists for pollution of ground and surface water by solubles present in the waste product. Steps can be taken to reduce (or eliminate) this potential secondary problem.

To more fully test and characterize double-alkali systems, EPA contracted with Arthur D. Little, Inc., to conduct a laboratory and pilot plant study of attractive double-alkali operating schemes. This study is being supplemented by an in-house CSL laboratory program. The pilot plant testing, at a 200-cfm facility owned by Arthur D. Little, Inc., was started in November 1973. There is a strong possibility that this program will be extended to include testing at a 20-MW prototype installation.

Also, CSL and General Motors have agreed to participate in a cooperative test program on GM's double-alkali process variation, recently installed on a coal-fired industrial boiler at GM's Chevrolet Plant in Cleveland, Ohio. This program will evaluate an important double-alkali variation on industrial scale.

Sludge disposal

In December 1972, the Control Systems Laboratory initiated a limited program to determine environmental acceptability and economics of techniques for treatment and disposal of throwaway sludge product from lime/limestone wet scrubbing processes for flue gas desulfurization.

The 2-year program is based on extensive current and projected application of lime/limestone scrubbing, projected insignificant commercial utilization of the sludge, and potential toxicity and hazards of species which could be found in the sludges and associated liquors.

The program consists of the following major elements:

1. An inventory of sludge constituents in both the solid and liquid phases. Sludges produced from the following sorbent/fuel combinations being studied are limestone/Eastern and Western coals, lime/Eastern coal, and double-alkali/Eastern coal.
2. An evaluation of the potential water pollution and solid waste problems including consideration of existing or proposed water effluent, water quality, and solid waste standards or guidelines.
3. An evaluation of treatment/disposal techniques with emphasis on ponding and treated and untreated landfill. In particular, sludges treated by two commercial processes will be evaluated in the laboratory for mechanical properties, permeability, leachability, etc.
4. A recommendation of the best available technology for sludge treatment/disposal based on the elements delineated above.

REGENERABLE PROCESSES

Magnesium oxide (Chemico Mag-Ox) Scrubbing

The Mag-Ox slurry scrubbing process, developed by Chemical Construction Corporation (Chemico), is one of the more promising regenerable approaches which could attain commercial status by mid-1974.

The chief advantage of the Mag-Ox process is its wide applicability to both existing and new power plants: it removes both SO_2 and particulates very efficiently without interfering with normal boiler operation. The process is also amenable to the centralized processing concept; i.e., spent sorbent can be regenerated at a central plant capable of servicing a number of power or industrial plants.

The major disadvantage of the process is the relatively high energy requirements for regeneration. Other disadvantages include those common to wet scrubbing processes; e.g., the apparent requirement for stack plume reheat.

EPA and Boston Edison are currently involved in a $7 million co-funded program involving design, construction, and operation of a 155-MW capacity scrubbing/regeneration system.

Scrubbing, centrifuging, and drying operations are located at Boston Edison's oil-fired Mystic Station; a regeneration system has been constructed at Essex Chemical's sulfuric acid plant in Providence, R.I. System testing started in April 1972. Results obtained during the initial year of operation indicate that SO_2 removal efficiencies in excess of 90 percent can be obtained using both virgin and regenerated MgO. In addition, commercially saleable sulfuric acid of high

quality has been produced from the sulfur values recovered from the stack gas. However, numerous problems (primarily equipment related) have thus far prevented continuous long-term reliable operation. Completion of the project is scheduled for mid 1974 and is intended to provide design data for scaling up the process to commercial size.

Potomac Electric Power Company has installed a 100-MW Mag-Ox scrubbing system, currently in the preliminary start-up stage, at its coal-fired Dickerson Station. At the completion of the EPA/Boston Edison program, EPA will permit Potomac Electric to use the Providence MgO regeneration system to process spent scrubber sorbent in exchange for data obtained by Potomac Electric relative to overall system operation on coal-fired plants.

Sodium iron scrubbing with thermal regeneration (Wellman-Lord)

EPA and Northern Indiana Public Service Company (NIPSCO) are jointly funding the design and construction of a flue gas cleaning demonstration system utilizing the Wellman-Lord SO_2 Recovery Process. The Allied Chemical SO_2 Reduction Process will be used with the W-L Process to convert the recovered SO_2 to elemental sulfur. The total $9.5 million cost for design, construction, and startup is being borne equally by EPA and NIPSCO. The operational costs for the system will be borne solely by NPISCO, and a detailed test and evaluation program will be funded by EPA. The demonstration system will be retrofitted to the 115-MW, coal-fired Boiler No. 11 at the D. H. Mitchell Station in Gary, Indiana.

The SO_2 product from the W-L Process is suitable for recovery in three forms: liquid SO_2, sulfuric acid, and elemental sulfur. For purposes of the EPA/NIPSCO demonstration, the Allied Chemical SO_2 Reduction Process will be applied to generate the most salable and environmentally sound product, elemental sulfur. The process has been demonstrated on a large scale treating a 12-percent SO_2 gas stream from a nickel ore roaster at Sudbury, Ontario.

EPA has high confidence for the success of this first coal-fired boiler demonstration system in meeting guarantees for pollution control, product quality, and material and utility requirements. This confidence is based on the already appreciable quantity of successful operating experience to date for W-L Systems on various applications including acid plants, Claus plants, and oil-fired boilers. Seven systems are now in operation in the U.S. and Japan. The knowledge gained from operating these systems has resulted in a series of process improvements (reducing costs and purge requirements) which have been incorporated in the EPA/NIPSCO demonstration.

Catalytic oxidation (Monsanto Cat-Ox)

The catalytic oxidation (Cat-Ox) process is an adaptation of the contact sulfuric acid process. Monsanto Enviro-Chem Systems, Inc. has developed this adaptation through work on a pilot scale unit and then a 15-MW prototype. EPA and Illinois Power Co. (sharing a $7 million total funding requirement) are now preparing to demonstrate the process on a 100-MW coal-fired boiler at Illinois Power's Wood River Station. Detailed design, construction, and shakedown testing of the air pollution control system has taken about 3 years; performance guarantee testing was carried out using gas firing of the reheat burners in July 1973. The unit met all guarantees and was subsequently accepted. However, due to the present critical shortage of natural gas, the burners are being modified to allow either oil or gas firing, as conditions permit. It is anticipated that this work will be completed in time to allow full-time, permanent operation of the demonstration unit by Summer of 1974, with the accompanying commencement of the 1-year test program.

The Cat-Ox system is available in two configurations: the Reheat system for retrofitting existing plants, and the Integrated system for incorporation into new power generating facilities.

The product acid is cooled and sent to storage, while the flue gases pass through a fiber-packed mist eliminator (where the residual traces of sulfuric acid mist are removed), and then to the stack where the clean gas exists to the atmosphere. At this point, essentially all particulate matter, as well as 85 percent of the SO_2, has been removed from the stream.

Trace and hazardous element analyses account for an important portion of the overall Cat-Ox test program. A complete characterization of Wood River Unit No. 4 (prior to Cat-Ox equipment tie-in) included analyses for some 30 trace elements in the coal, hopper ash, and slag as well as in the flyash (where elemental analysis has been done for a complete range of size fractions). These tests will be repeated during the 1-year test program (after the Cat-Ox system becomes operational) to determine the effects of the system on the concentration and distribution of trace elements.

Sodium ion scrubbing with electrolytic regeneration (Stone & Webster/Ionics)

In July 1972, EPA and Wisconsin Electric Power Company (WEPCO) initiated a 3½ year three-phase program, involving the Stone & Webster/Ionoics (S&W/I) sodium hydroxide scrubbing process.

Under Phase I, currently in process, an integrated pilot plant was constructed, operating tests initiated, and a prototype-scale electrolytic cell system designed and fabricated. Preliminary design of a 75-MW prototype system, and development of detailed test programs and operating schedules for the prototype system will be initiated by Summer of 1974.

Based on favorable assessment of Phase I results and continued technical and economic viability for the process, Phase II, a 16-month effort, will be initiated for the detailed design, procurement, and installation of the 75-MW prototype. This would be followed by Phase III, a 12-month startup and operational period for the 75-MW prototype. Assuming a decision to proceed, EPA and WEPCO would co-fund the $7 million program.

The Stone and Webster/Ionics process is a cyclic method of flue gas desulfurization that was developed by S&W/I during the 5 years prior to the EPA/WEPCO program.

Chief advantages of the process, expected to apply to both existing and new power plant over a broad range of sizes, are: highly efficient removal of SO_2; production of easily handled non-slurry flow streams; no solid waste; and recovery of SO_2 for subsequent processing into liquified SO_2, sulfuric acid, or elemental sulfur.

Potential disadvantages of the process include: power requirements for electrolytic regeneration, adverse influence of particulate and flue gas trace constituents on the reliability of the electrolytic cell, and the need to remove from the system any sulfates produced by oxidation in the scrubber.

Ammonia scrubbing with bisulfate regeneration

Stack gases have been commercially desulfurized by contact with solutions of ammonium sulfite and bisulfite since the mid 1930's. The early processes recovered SO_2 in a pure form by acidifying the scrubbing liquor with such acids as sulfuric, nitric, and phosphoric. The resulting ammonium salt of the acid was further processed for use as a fertilizer. Because of the enormous tonnages of SO_2 involved in desulfurizing power plant stack gases, fertilizer markets will not support wide-scale use of fertilizer-producing ammonia processes. Therefore, CSL in a joint venture with TVA is developing a completely cyclic ammonia scrubbing/bisulfate regeneration process which has as its major product a concentrated stream of SO_2.

Sulfites that are oxidized into sulfates during the process must be purged from the system. Several purge methods can be used: (1) if a fertilizer market exists for ammonium sulfate, ammonium sulfate crystals can be purged prior to decomposition; (2) if there is no fertilizer market, ammonium bisulfate can be reacted with lime to form gypsum and regenerate the ammonia; or (3) ammonium bisulfate can be injected into the utility boiler where it will be decomposed into nitrogen and SO_2.

In 1973, attention was focused on eliminating an objectionable plume of ammonia-based salts in the scrubbed gas leaving the stack. This plume was eliminated or reduced to an entirely acceptable opacity by quenching the flue gas with water prior to introducing the gas into the ammoniacal scrubber. Other explanations can be offered for elimination of the plume, but they are considered less likely. Fortunately quenching the stack gas should reduce ash loadings to the scrubber and minimize regeneration problems. During 1974, sulfate decomposition and bisulfate solution regeneration will be studied intensively in the pilot plant.

Activated carbon

The use of multi-stage, dry fluidized beds of recycling activated carbon appears attractive both for sorption of SO_x from flue gases and for converting the removed SO_x to elemental sulfur. Under an EPA contract, development of the activated-carbon-based flue gas desulfurization process was advanced to a stage where three major process units—sorber, sulfur generator, and carbon regenerator—were integrated for continuous and cyclic operation.

Intergated pilot plant operation is now underway and represents a culminating point in the effort to determine overall technical feasibility of this process scheme. The extended cyclic operation of the approximate 300 scfm capacity pilot plant will yield reliable operational data that will be used to project process economics with greater accuracy and to scale up this process to higher capacities. It is anticipated that Westvaco, the EPA contractor, will provide this process development information during the first half of 1974.

Sulfuric acid neutralization

In the abatement of air pollution from industrial sources such as smelters, large quantities of sulfuric acid are produced. Sulfuric acid is also produced by many of the abatement processes developed for application to air pollution sources, including power generating plants. The growing oversupply of world sulfur promises uncertainty of future markets for such acid.

When acid markets are not available, however, it appears that the neutralization of abatement derived sulfuric acid with limestone may be an economically and technically feasible answer to the problem of acid disposal. A study undertaken to more fully define the potential of this approach was completed in April 1973; it confirmed earlier indications of the feasibility of this concept and placed it on a firmer technical basis. The investigation included a pertinent literature search, conceptual design, and flow sheet for the neutralization of abatement derived sulfuric acid with limestone. Investment and operating costs were developed for daily H_2SO_4 capacities of 100 tons, 350 tons, and 1000 tons.

Claus plant emission characterization

Claus plants produce sulfur from hydrogen sulfide and sulfur dioxide.

Numerous Claus sulfur plants are operated in the United States in connection with natural gas and petroleum refining. Because of the apparent potential for atmospheric pol-

lution from unconverted hydrogen sulfide and sulfur dioxide in Claus plant tail gas, a survey was made (completed April 1973) to collect information concerning Claus sulfur plant emissions and control. Such a data base will be of great use in evaluating the significance of the problem and determining appropriate control strategies.

Summary report findings are as follows:

There are 169 Claus sulfur plants in the United States having rated daily capacities totaling over 15,800 long tons. The tail gas from a Claus plant contains hydrogen sulfide, (H_2S) and sulfur dioxide (SO_2), but the tail gas is usually burned, converting the H_2S to sulfur oxides. The annual emissions from Claus sulfur plants in the United States are estimated to total 875,000 short tons of SO_2 equivalent.

These estimates assume that the Claus sulfur production averages 60 percent of the rated plant capacity and that the Claus sulfur recovery averages 90 percent. Additional catalytic stages could increase the Claus sulfur recovery to about 97 percent, eliminating 70 percent of the Claus plant emissions.

The Beavon Sulfur Removal Process and the Cleanair Sulfur Process are claimed to increase sulfur recovery to more than 99.9 percent, eliminating about 99 percent of Claus plant sulfur emissions. The investment and operating costs for Claus-Beavon plants or Claus-Cleanair plants are about twice those for Claus plants alone. Hence, the production costs for Claus-Beavon sulfur or Claus-Cleanair sulfur are about twice those for Claus sulfur.

The Institut Francais du Petrole (IFP) Process is claimed to increase the sulfur recovery to more than 99 percent, eliminating about 90 percent of Claus plant emissions. The investment and operating costs for an IFP addition are about half of those for the Claus sulfur plant alone. Accordingly, the production costs for Claus-IFP sulfur are about 50 percent higher than those for Claus sulfur.

[From Science, April 19, 1974]

HIGH-SULFUR COAL FOR GENERATING ELECTRICITY

(By James T. Runham, Carl Rampacek, T. A. Henrie)

CITRATE SYSTEM

The citrate process is one of the more attractive systems that has emerged in the past several years for flue gas desulfurization. Developed by the Bureau of Mines to remove sulfur dioxide from nonferrous smelter stack gases, the process has the advantage that elemental sulfur is recovered without the need for intermediate sulfur dioxide regeneration. The system, is considered among the least costly of the advanced processes.

Recently the bureau began testing the process in a pilot plant with capacity of 1000 standard cubic feet per minute (scim) at the Bunker Hill lead smelter, Kellogg, Idaho. More than 95 percent removal of sulfur dioxide has been achieved without difficulty from a gas stream containing 0.5 percent sulfur dioxide.

Since June 1973, the process has been tested in a 2000-scfm demonstration unit at a coal-fired steam generating plant in Terre Haute, Indiana. Tests on gas containing 0.27 percent sulfur dioxide, generated by burning coal containing 3 percent sulfur, have largely confirmed Bureau of Mines findings. Although the citrate process has been proposed for producing elemental sulfur, it also is possible to recover sulfur dioxide for conversion to acid by incorporating a steam-stripping step.

Estimated capital cost of a citrate process desulfurization unit for a 1000-Mw plant burning coal containing 3 percent sulfur is $31 million. Annualized costs would be $1.4 mill/kwh, if no credit for the 214 long tons of sulfur produced daily is assumed.

THE BEACON HOSE CO. NO. 1

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. SARASIN. Mr. Speaker, there are few groups in our Nation as selfless and dedicated in helping their fellow neighbors as the volunteer fire departments. I recently had the pleasure of attending the 75th anniversary banquet of the Beacon Hose Co. No. 1, of which both my father and I are former members, and I would like to share some of the company's illustrious history with my colleagues.

The Beacon Hose Co. No. 1 was organized in May 1899 in my hometown of Beacon Falls, Conn. First organized as a firefighting company for the Beacon Falls Rubber Shoe Co., the Beacon Hose Co. became incorporated in 1930, gaining the status of a volunteer town company. Among those designated as charter members for having joined before 1900 was George Butz, Sr., the company's first foreman. He was succeeded by Bert Howell for 1 year until Pop Lee assumed leadership in 1908. Lee, who became designated as chief upon the company's incorporation, served in this capacity until 1950. Since then, the company has seen the service of six leaders: Harold Benz, until his passing in 1951, George Rau, Arthur Smith, Daniel Lee, Jr., and Roger Brennan who served 5 years each, and the current chief, Lee Lennon, elected in 1971.

The company has undergone major changes and advancements over the years. Originally located on the rubber company grounds, the Beacon Hose Co. was housed in two other buildings on Main Street before acquiring its present headquarters in 1969. Having first employed a hand pulled hose cart, the company now owns five engines. In addition, it has provided a free ambulance service since 1951.

The first ambulance was donated by the Buckmiller family, and in 1954, members of the Community Club and firemen together purchased another vehicle from the Borough of Naugatuck. Later a new ambulance was purchased by the town, and the original emergency vehicle was sold to the town of Oxford for $1 to aid in the founding of its Community Ambulance Service. Apart from the paramedical training that the firemen receive, those members serving as ambulance men recently completed an extensive emergency medical training course at Griffin Hospital.

The annual bazaar and parade, which entertains thousands from the area, draws proceeds to sponsor and cosponsor many functions and community services. These include Halloween and Christmas parties, the upkeep of a boys' cottage at the Southbury Training School, an annual "Jimmy Smith Memorial Award" scholarship in mathematics to a graduate of the Long River School, a yearly program in memory of Dick Johns which sponsors a Scout at summer camp, and a fire prevention program aimed primarily at the town's children, which was credited with saving the lives of a local facilities several years ago.

Presently, there are 76 members of the Beacon Hose Co., all of whom are trained in the techniques of firefighting and the operation of the modern equipment employed in administering first aid. In addition, a plectron system has been installed to replace the siren and telephone method of summoning the members to an emergency, providing an instantaneous service.

It would be impossible to express in these few short words, the appreciation deserved by our volunteer firemen. These are individuals who apply their training and regularly risk their lives in return for satisfaction that they are integral to the safety and harmony of their communities. On this note, I would like to congratulate Chief Lennon and all the members of the Beacon Hose Co. upon reaching this 75th milestone, and to express my sincere appreciation for all of the services which they have and will continue to perform.

TRIBUTE ON THE RETIREMENT OF THE HONORABLE WENDELL WYATT OF OREGON

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ROONEY of New York. Mr. Speaker, the recent announcement by the Honorable WENDELL WYATT that he will be retiring at the end of this Congress is a great disappointment to me, as I am sure it is to all the Members of this august body.

I have had the distinct pleasure of working very closely with WENDELL WYATT since his assignment to the Appropriations Subcommittee for the Departments of State, Justice, and Commerce, the Federal Judiciary and Related Agencies. His assignment to this subcommittee came following the death in 1972 of our former colleague and my dear and beloved friend, Frank Bow of Ohio. During this time I have come to both know and respect WENDELL for his ability to work for the public interest and for a more effective and efficient government. I have also been deeply impressed with his insight and knowledge into the working of government.

Mr. Speaker, WENDELL'S long history of service to both his community and country began in 1941 and has always been in the highest traditions of the Republic. He was a special agent for the FBI in 1941 and continued to serve his country in World War II as a combat officer in the Marine Corps. After the war he returned home and took an active interest in his community which eventually culminated in his election to the House of Representatives in 1964.

The Congress, the country, and the American people will all sorely miss the expertise of the gentleman from Oregon. The committee of which he is a member

will also miss the services of this student of government and the law.

Mrs. Rooney joins me in wishing WENDELL and his lovely wife, Faye, a most enjoyable and productive retirement.

OIL AND DEPARTMENT STORES

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. CONTE. Mr. Speaker, for several months, I have been barraged with letters, telegrams, phone calls, and visitors telling me the oil companies need more profits so they can increase investment in exploration and production.

I have been solemnly warned in these communications that if Congress repeals the oil depletion allowance and other special interest tax legislation, the oil companies would withhold energy exploration and production and the Nation would suffer.

While the major oil companies were reporting 1973 profits of $10 billion, I pondered the continued need for the oil depletion allowance. I looked for new construction. In New England, there are four proposals to build oil refineries along the Atlantic coast, but none of them is sponsored by a major oil company.

Meanwhile, several majors have been taking their oil profits and investing them in nonpetroleum businesses. Last winter, Gulf Oil offered $100 million for the Ringling Brothers Circus. When exposed to the glare of publicity, that deal fell through.

Last March, at the peak of the gasoline shortage, the Select Committee on Small Business, on which I am the ranking minority member, discovered that Gulf was taking over a significant portion of the distressed recreational vehicle market. Sales of recreational vehicles at that time had hit an all-time low; today they are booming.

Now Mobil Oil has announced its intention to purchase controlling interest in the Montgomery Ward department store chain for $400 million. Mr. Speaker, the Washington Post last Friday featured an editorial on this subject, which I submit for the RECORD:

OIL AND DEPARTMENT STORES

Oilmen, their bankers and their trade associations have been telling us all year that high oil profits are absolutely essential to solve the energy shortage. The industry has to have the current tremendous profits, the litany goes, in order to provide the capital to develop the new sources that the country needs. Don't you remember all those speeches, advertisements and statistical studies? A constant theme ran through them: The oil companies' profits might seem a bit high to you folks sitting out in front, but you can take the word of the real experts that those profits are necessary to provide you with oil for the years to come.

But now the Mobil Oil Corporation is preparing to use some of its recent profits, instead, to buy the company that controls Montgomery Ward. While Montgomery Ward runs good stores, you wouldn't go there to look for oil. Mobil is, in fact, diversifying. The enormous accumulations of ready cash by the oil companies mean great power, and obviously not all of that power is going to be devoted to producing energy. Some of it is going into the quite different purpose of extending the companies' control into altogether new and different fields.

To take over the Marcor Corporation, the holding company that owns Montgomery Ward, will cost perhaps $400 million. Mobil defends itself by emphasizing that it will spend $1.5 billion this year alone on capital expansion and exploration for oil. But Dr. John Sawhill, the administrator of the Federal Energy Office, was surely right when he expressed "disappointment" that Mobil was not inclined to devote its full resources to energy development.

Mobil's reasons for diversification arise from a defensive and anxious mood that seems to prevail inside the oil industry. Mobil fears a political climate here and throughout the world that might make the oil business a great deal less profitable very soon. Along with all the other companies Mobil has been complaining bitterly about the constraints imposed by the new environmental laws. Abroad, the exportnig countries are rapidly nationalizing their immensely rich concessions. Mobil is one of the Aramco partners, who have just been informed that the Saudi government is taking over 60 per cent of the ownership in Aramco retroactive to the first of the year. Here at home, the companies were put through a hazing on profits last winter by Sen. Henry Jackson and currently the industry's most visible tax break, the depletion allowance, is being thrown up for a vote about once a week in one house of Congress or the other. Mobil sees itself increasingly harassed and constrained by innumerable government agencies trying to tell it how to run a very complicated business. Beyond the disputes over reports and permits lies, apparently, a real fear that the government is going to try to regulate the oil companies and treat them like utilities.

Here we have a remarkable example of the difference in perspective between Washington and New York. Seen from Washington, the oil companies are getting richer so fast that the profit figures are a sharp embarrassment to their political friends. The retained earnings are piling up at rates that raise urgent issues of fair competition as oil companies expand at the expense of other companies that do not enjoy the oil tax benefits. While it is true that the companies have not managed to get any of the environmental laws changed, it is also true that so far in the legislative stalemate the tax breaks have not been repealed either. And the price to the consumer keeps going up. But the same picture, seen from corporate headquarters in New York, takes on a threatening and autumnal aspect. The industry seems beleaguered by its enemies. The word is, apparently, to begin discreetly to walk, not run, toward the exit.

But if leading oil companies begin to use their massive internal reserves to begin buying their way into entirely different businesses, that is not entirely a private matter. It certainly lets a good deal of the air out of the much-advertised presumption that those reserves were going to be used to drill for oil and build refineries. The size of those companies' present reserves owes a lot, after all, to public policy in the form of tax subsidies and price control decisions.

At this moment, when the spirit of detente prevails throughout the world, it ought to be possible to negotiate a truce between the oil companies on one hand and everybody else on the other. The companies want to know, basically, under what conditions they are going to be required to do business over the next decade. Everybody else wants to know if there is going to be enough gas and oil. There is room here for a bargain. The public would be less incensed by higher fuel prices if the companies paid the same taxes as other corporations. Revoking the most egregious of the tax subsidies is the first step toward a negotiated peace. The second is recognition by the companies that the new environmental standards have strong public support, and the industry is going to have to accept them. But meeting those standards will be expensive, and the cost will show up in the price of oil. The consumer is going to have to get used to that idea. He is also going to have to get used to the idea that an oil price roll-back is only a prescription for more fuel shortages. There is only one source for the expanding supplies of cheap oil to which Americans have been accustomed, and that source lies in the Persian Gulf far beyond the reach of the American anti-trust laws. Over the coming months, both consumers and companies will doubtless learn to live with the new economics of fuel. But at the moment we have a striking paradox: a major oil company, in the midst of a massive wave of profits, filled with dismay about its future and looking uneasily toward some safer line of business.

GEOTHERMAL HEATING AT OREGON INSTITUTE OF TECHNOLOGY

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ULLMAN. Mr. Speaker, the national energy shortage has come as a largely unheralded and certainly a very unpleasant surprise to this Congress. I would venture to guess that fossil fuels and alternative power sources have played a far larger role in our thoughts and legislative efforts than any of us dreamed of 2 years ago.

One power source that has been little known outside of the Pacific Northwest is geothermal energy. While geothermal reserves do not exist in all parts of the country, I think that all of us can take encouragement from the creative and pioneering spirit in which efforts to develop this new energy source are being undertaken.

Of particular interest is the establishment of a geothermal heating and cooling plant at the Oregon Institute of Technology. Largely the dream of one man, Dr. W. D. Purvine, president of the Institute, this plant has reduced their heating bill from an estimated $95,000 a year to $10,000 a year. And by making use of the hot water reserves that existed right under the Institute's foundations, this imaginative administrator has conserved other valuable energy sources for use elsewhere.

I would like to share with you an article on this energy success story which appeared recently in the Los Angeles Times:

GEOTHERMAL HEAT—SCHOOL'S GAMBLE OPENS UP NEW ENERGY HORIZON

(By Lee Dye)

KLAMATH FALLS, ORE.—W. D. Purvine is living proof that a sharp eye, a curious mind and a lot of common sense have not lost their place in this age of tecnological sophistication.

In 1959, when he laid out the plans for the modern, new campus of the Oregon Institute of Technology—of which he is pres-

ident—he wanted to reduce the heating bill, estimated at $95,000 a year.

He figured he could do that by heating the school, which consists of more than 4 million square feet of floor space, with the hot water that occurs naturally beneath this south central Oregon community.

Many buildings in Klamath Falls have been heated by geothermal wells for years, but Purvine's scheme was far more ambitious than anything that had been attempted.

As any well driller knows, it is possible to drill dozens of bad wells before drilling one good one, and drilling is very, very expensive.

So there was a chance that the state would pump a lot of money down a lot of dry wells and still be faced with a huge heating bill.

Although he is not a scientist. Purvine convinced the Legislature he could find the right areas to drill. He was told to go ahead—provided he personally picked the drilling sites.

It was a gamble, but Purvine was willing to try.

He began plotting his course by watching each morning to see where frost melted first.

After he had pinpointed the warmer areas, Purvine talked to every well driller he could find. He heard a lot of old yarns, but he learned a lot about drilling also.

As a rockhound, Purvine knew the geological terrain fairly well. Geologists have determined that the heat that warms the water probably rises to the surface through fault zones, so Purvine charted every fault he could find and every fault known to exist near the campus.

Finally, the day of reckoning came.

He directed a drilling crew to one corner of the campus and, just above what he considered to be an old fault. Purvine ordered the men to begin drilling.

The well was drilled to 1,205 feet at a cost of nearly $17,000. They found water, but it was a mere 78 degrees.

He moved to the other side of the fault, where the frost melted first each morning, and ordered the men to drill again.

Again, they found water. But this time it measured 176 degrees.

In all, Purvine drilled six wells—three hot and three cold.

Today, the entire campus, consisting of eight buildings, is heated with the water from just one of those geothermal wells.

The hot water flows through heat exchangers in each of the buildings, heating air that is then blown into the rooms, as in any forced-air heating system.

When the weather turns hot, campus plant supervisor Jack Hitt turns a few wheels and the hot water is replaced by chilled water from the cold wells, and the entire system acts as an air conditioner instead of a furnace.

The cost? About $10,000 a year.

Although Purvine did not plan it this way, his success could not have been timed better.

With the nation facing a long-term fuel shortage—and with prices skyrocketing for such things as heating oil—the success the institute has had with geothermal heat takes on a special significance.

Hot water wells have been used for various purposes in the Klamath Falls area for decades.

For example, warm water has been used to irrigate certain crops, such as tomatoes. The warmer water extends the growing season, resulting in rich, luscious tomatoes.

But in the past, that sort of activity has been carried out on a relatively limited scale.

The college's success, according to John Lund, engineering professor, proves that geothermal power could have considerable application in the industrial sector.

"It could be useful to any industry that has a high demand for heat," Lund said.

For instance, Klamath Falls plywood company that has been fighting against bankruptcy is considering shifting to geothermal heat as a means of cutting its costs.

A hospital adjacent to the campus also is shifting over to geothermal heat.

The idea of heavy industry moving into the pristine wilderness areas of Oregon does not appeal to all Oregonians, however.

The state has actively sought to discourage industrial development in some areas, and as geothermal exploration moves into full swing, conflicts over land use probably will be fierce.

Purvine believes, however, that the future of geothermal energy is bright.

"Without any question it's going to be a major source of energy," he said. "There are hundreds of locations with hot water."

Some members of his staff believe exploration will almost surely result in discoveries of steam, whch might be used to generate electricity. So far, geothermal applications in Oregon have been limited to hot water wells.

The federal Bureau of Land Management is in charge of a federal leasing program for potential geothermal areas, and since the program was started earlier this year the rush has been phenomenal.

The Portland office of the bureau has received 866 applications for geothermal leases in Oregon and Washington.

Many of those applications, undoubtedly, are purely speculative to lead to geothermal development on a much broader scale than anyone expected just a few years ago.

At any rate, Klamath Falls is in on the ground floor, and the Institute of Technology hopes to play a considerable role in the national geothermal program.

The school is seeking governmental support to establish a National Center for Geothermal Technology.

The center would be situated near the campus and would be designed to "hasten the widespread utilization of geothermal energy in a very direct and pragmatic way," according to a prospectus.

The center would conduct research and provide information on the technical aspects of geothermal power.

Although funding for the center—estimated at $184 million for the first 10 years—has by no means been assured, the institute is moving to ensure its role in the development of geothermal energy.

Oct. 7 through 9, the school will be host to an international geothermal conference. The meeting will be unusual in that it will stress nonelectrical applications of geothermal energy. It is expected to attract more than 1,000 delegates and will include representatives from New Zealand and Iceland, where geothermal energy is used for industrial purposes.

FATHER TOM GAVIN, S.J., WRITES THAT WE HAVE MUCH FOR WHICH TO BE THANKFUL ON THIS FOURTH OF JULY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. KEMP. Mr. Speaker, this week we commemorate the 198th anniversary of the proclamation of our Declaration of Independence, a proclamation which signified the united will of a people to exercise the rights of free men.

The writing of that Declaration—and its proclamation—required the highest degree of courage among its proponents. We too often forget—because it was a successful endeavor they undertook—the great risks which were taken by those gallant men and women who by their actions insured our independence. When the signers pledged their lives, their fortunes, and their sacred honor, it was not without their knowledge that should they have failed, they would have had their properties confiscated and their lives lost upon the gallows.

As we celebrate the Fourth of July—every Fourth of July—we should be ever mindful that our commitment to freedom must never be so inadequate as to risk the loss of all that for which the Framers fought—the rights and liberties of free men.

We have much for which to be thankful on this Fourth of July.

Father Tom Gavin, S.J., has made this point well in his column this week in his informative column in the Western New York Catholic, an outstanding publication circulated widely among the clergy and laity of western New York.

Father Gavin talks about why we should never despair when events seem distressing to us. In this time of crisis of confidence in our institutions, we can too easily look at only the bad, overlooking the vast amount of good in our institutions, our Government, our leaders, and our people.

Mr. Speaker, I commend Father Gavin's column to the attention of all my colleagues. It makes the case well for a rebirth of that Spirit of '76 so essential to a regeneration of the strength of our Nation.

The column follows:

QUESTIONS AND ANSWERS

(By Father Tom Gavin, S.J.)

Q. As Independence Day approaches I find it more and more difficult each year to work up any feeling of enthusiasm, much less of patriotism. It seems to me that our nation is deteriorating. The whole picture frightens me. The Vietnam War just about finished me off.

A. No question about it, we are going through some difficult times. At times like these it is essential, if one wants to keep a balance view, to put things in perspective. Let us not forget that a very few short years ago we had legalized slavery of human beings, child labor, sweat shops, wars of aggression and even denied women the right to vote. All these things we took for granted.

Perhaps the biggest step backward that we have taken in modern times is legalized abortion and the resulting slaughter of so many unborn children. That, I agree, is frightening.

But aside from those infants there has never been more independence for everybody than there is in America today. In this country you may not only criticize the government with impunity, you can slander the nation's leaders without penalty. In Russia, China and the captive nations mere disagreement can mean your head. Communist China has put to death around 20,000,000 of her own people who happened to have contrary opinions. Kruschev starved to death 5,000,000 Ukranians because they wouldn't "go along". We all know what has happened in Hungary and Poland and the fate of hundreds of thousands of dissenters in Russia. One may not even leave East Germany without risking a bullet in the back.

Far from waging aggressive wars, we have risked bankruptcy in an effort to rehabilitate our former enemies. As Henry Cabot Lodge said in the United Nations, "At the end of world war II we alone had the nuclear bomb,

the largest air force and navy in the world. Had we wished to we could have annihilated Russia." Instead we now sell her wheat, subsidized by the American taxpayers. We did our best to defend a free people in South Korea and South Vietnam.

As our present envoy to South Vietnam, Ambassador Graham A. Martin, said in a recent interview: "Many Americans have forgotten that our real emotional involvement in Indo-China affairs began in 1954, with a characteristic American humanitarian response when we helped move almost a million—mostly Catholic—Vietnamese from North to the South. They abandoned everything of material value, choosing to become penniless refugees in the South rather than remain under the totalitarian rule of Hanoi. . . . Our present commitment arises from an even more characteristic American trait—our determination and pride that we finish what we set out to do. And in this case, it is to leave Vietnam economically viable, militarily capable of defending itself with its own manpower, and its people free to choose their own government and their own leaders. I am thoroughly convinced that this goal can be achieved rather quickly."

As the Canadian television commentator, Gordon Sinclair, said, "This Canadian thinks it is time to speak up for the Americans as the most generous and probably the least appreciated people of all the earth. Germany and Japan, and to a lesser extent, Britain and Italy, were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions of debts. . . . When the franc was in danger of collapsing in 1956, it was the Americans who propped it up. . . . When distant cities are hit by earthquakes it is the United States who hurries in to help. . . . When the railways of France and Germany and India were breaking down through age, it was the Americans who rebuilt them. . . . I can name you 5,000 times when the Americans raced to the help of other people in trouble."

And we are still doing the very same generous things. At the moment, as you know, we are protecting the people of Western Europe and trying to alleviate the hunger of starving millions in Africa and India. It is obvious that we don't brag about these things ourselves. How often have you heard these facts recounted in your newspapers or television broadcasts? It took a Canadian to acknowledge them.

No wonder God has blessed this nation so bountifully. Let us pray for our leaders in the present difficulties and thank God from the bottom of our hearts that you and I enjoy independence not only on July 4th, but on every day of the year. If it were not for that you could not have written your letter.

FRENCH NUCLEAR AID TO IRAN

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. GUNTER. Mr. Speaker, last week I issued a statement expressing my concern over the proposed United States-Egyptian nuclear cooperation agreement promised by the President and my fears that this agreement would open the door for nuclear proliferation in the Middle East. I was troubled to learn some days ago that my fears were justified and that France has just concluded a trade agreement with Iran that includes provisions for the latter's purchase of five nuclear reactors.

This agreement follows hard on the heels of a statement by the Shah indicating that Iran is about to embark upon a program for the development of nuclear weapons. When asked during a recent interview with a French news magazine whether he thought that Iran would someday possess nuclear weapons, the Washington Post, June 24, 1974, reports the Shah's reply as:

Without any doubt, and sooner than one would think.

Now, despite the avowed intention of the Shah to go ahead with an atomic weapons program, France is going to sell Iran nuclear reactors which will have the capacity to produce more than enough plutonium than is necessary for an atomic bomb. Plutonium, which is a by-product of the reactor's fission reaction, is the basic building block of the atomic bomb, without which the technical problems in nuclear weapons construction are almost insurmountable for most nations. Without strict safeguards, it is possible for any country, like India, to divert sufficient quantities of plutonium for construction of an atomic device.

Yet the Washington Post, June 6, 1974, reports that past French reactor sales have not had inspection safeguards which would prevent diversion of plutonium. Furthermore, France is not even a signatory of the nuclear nonproliferation treaty.

Mr. Speaker, we must all be gravely concerned about the spread of nuclear weapons and their horrible potential for destruction. With President Nixon's recent promise of nuclear cooperation with Egypt, we are on the verge of opening the door to the spread of nuclear technology throughout the area. France has not been hesitant in following our lead and offering her atomic expertise to Iran. Other countries, like the Soviet Union, may soon follow suit and provide their client states with high-prestige and even higher risk nuclear facilities.

This new form of competition between the powers—currying favor with oil-producing nations by selling them nuclear capability—must be stopped before it escalates into a grim new version of the arms race. The only way to stop this spiral is by seeing that the atom is kept out of the area.

I commend the following article to my colleagues and other readers of the RECORD who are concerned about the dangers of nuclear proliferation:

[From the Washington Post, June 27, 1974]

FRANCE GETS $4 BILLION IN IRAN TRADE

PARIS, June 27.—France achieved an economic coup today in completing a long-term trading agreement with Iran valued at over $4 billion.

Iran is to deposit $1 billion with the Bank of France as advance payment for major industrial projects—including five nuclear power stations and technological assistance—to cost between $4 and $5 billion over 10 years.

The shah of Iran and President Valery Giscard d'Estaing, after three days of talks, set the seal on the biggest-ever economic agreement between an oil-producing country and a European industrialized power.

Shah Mohamed Raza Pahlnui told a press conference:

"We are prepared to join with France in building a petrochemical industry and go all the way in handling oil—from the well to the gasoline pump," he said.

He added that there was an immense field of cooperation between Iran and France to be explored and developed.

The French and Iranian finance ministers signed a detailed agreement for the construction of five nuclear power plants in Iran. French Finance Minister Jean-Pierre Fourcade said payments by Iran would be made in installments over three years, starting later this year. After the initial deposit of $1 billion, the first payment would probably be about 300 million dollars.

The deal will help France out of its balance of payments deficit, expected this year to be more than $6 billion.

In addition to building the nuclear power plants, the French will supply uranium, industrial equipment and gas pipelines, Fourcade said. The power plants, each of 1,000 megawatt capacity, are to be completed by 1985.

France will also assist in the creation of a nuclear research center in Iran and the training of nuclear scientists.

[Past French reactor sales have not carried requirements for inspections that would preclude use of the fuel for bombs.]

Asked about the question of nuclear weapons, the shah replied: "For a long time, more than five years now, we have declared that we would be ready to turn our area into a non-nuclear zone—that is, an area where no nuclear weapons should be used or stored, and we stick to this policy."

He denied having granted an interview to a French magazine which quoted him as saying that Iran would possess atomic weapons "sooner than the world thinks."

He said he had told a group of French journalists in Tehran before coming to France that if every little country tried to get atomic weapons "we will have to think it over—but I hope this will never happen."

The shah also said today that "all oil companies should be nationalized." Explaining the French deal, he declared.

"When we were in a weak position and asked Europe for aid, we received it. If now the European countries have some difficulties with their balance of payments it is only natural for Iran, which has achieved a strong position to do what it can."

THE 18TH ANNIVERSARY OF THE POZNAN WORKERS REVOLT

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ROONEY of New York. Mr. Speaker, in the present reported warming of the international environment that exists between the United States and the Soviet Union it is, I feel, wise to maintain the point of view that the Soviet Union is still a totalitarian state with a vast system of slave colonies in Eastern Europe. In this vast empire exists millions upon millions of people who still yearn for freedom and who are willing to battle their oppressive Red Communist governments to get it.

Among these heroic peoples of Eastern Europe, a special place belongs to the workers of Poznan, Poland, who on June 28, 1956, revolted against their puppet atheistic Communist masters in a bold attempt for freedom and self-determination. What started as a protest of economic conditions in Poland and a

peaceful demand for more freedom rapidly spread throughout the city. What looked for a while like a successful attempt at freedom was short-lived, however. Russian troops accompanied by heavy armor smashed into the city and crushed the revolt.

In the West, the spirits of all those who heard of the revolt thrilled to the prospect of more people joining the family of free men. These same spirits were crushed when the overwhelming might of Soviet arms put an end to the short-lived attempt at freedom in Poznan, Poland.

Mr. Speaker, the anniversary of the Poznan revolt is meaningful to us all but it is particularly important to our fine millions of American citizens of Polish birth or descent. We share in their pride of their kinsmen's demonstrated determination to resist the Soviet Communist oppressors and to reject vigorously the programs and political objectives which the Russian puppets seek to impose upon all the people of Poland.

I trust that all of us—not just the Members of Congress but the American people as well—will recall the gallant acts of the Poznan workers to regain a measure of the freedom which is denied them.

We could well reflect on the freedom which we enjoy and be grateful for the great heritage of liberty and justice for all which our forebears sought to endow us with. As we count our blessings we should rededicate ourselves to completing the unfinished task of bringing a full measure of these blessings to our long-time friends and relatives in Poland.

I am proud to join with my many loyal Polish-American friends in observing this anniversary of a most important historic event. I again pledge to them and to the many fine Polish-American organizations which represent them, my sincerest efforts to restore full freedom to their friends and loved ones in Poland.

THE NEW ENERGY BARONS

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. TIERNAN. Mr. Speaker, the following article appeared in the Journal of the United Mine Workers, July 15–31, 1973. It is a follow-up on the article I submitted last Friday, June 21, 1974. It further documents the emergence of the energy company, the oil-coal-uranium conglomerate, that stifles the healthy interplay of market forces in the energy area. The article substantiates the claim that the oil companies are engaged in a classic horizontal integration on a scale comparable to the formulation of the 19th century trusts. The result is that the energy company has no incentives to reduce any of its fuel prices.

THE NEW ENERGY BARONS: HOW BIG OIL CONTROLS THE COAL INDUSTRY

(By Matt Witt)

UMWA coal miners have been fighting coal operator control over their lives ever since the union was formed in 1890: company stores, company doctors, company houses, company wage cuts in hard times, company discrimination against immigrant or black miners, company firing of safe workers—in short, domination over those who risk death or injury or dust-filled lungs to bring the black wealth out of the ground by those who take the profits home.

In 1973, the battle continues. Throughout the coalfields, miners are already talking about the 1974 contract struggle, and many of the goals you hear discussed are the unachieved goals of the past—pay for the sick worker and care for the widows and disabled, a decent living through automatic raises during inflation, the right to enjoy some sunlight through decent vacations and pensions, the right to fearlessly demand safety and to bid on jobs without discrimination, protected by a clear and readable grievance procedure.

There's a lot of talk, too, about the fight between energy companies and the public, known as the "energy crisis." We hear about how coal miners' jobs are being threatened by the failure to develop sulfur pollution controls—and how coal miners' paychecks are being gutted further by 40-cents-a-gallon prices for gas. And large coal companies now are talking about the high profits of western mining at the expense of existing jobs in the East or Midwest.

In 1973, the battle continues, but there is an important change that makes the contract and energy fights that much tougher. The coal barons have changed.

Today's big coal companies aren't just selling groceries to a few captive communities or deciding the future of jobs for a few hundred miners. In fact, today's big coal producers are in most cases not really coal companies at all. Instead, they are divisions of some of the largest and most powerful oil and metal corporations in the world, corporations which are selling an "energy crisis" to an entire captive nation for a high economic and environmental price, and which are attempting to decide from an oilman's point-of-view the future of jobs for the entire coal industry.

The invasion of these high-powered energy corporations began in the 1960's. Gulf Oil acquired Pittsburg and Midway Coal, the thirteenth largest producer, in 1963. In 1966, Continental Oil bought out the giant of the eastern coal industry, Consolidation Coal. In 1968, Occidental Petroleum took over Island Creek Coal, the third largest coal producer, while Standard Oil of Ohio took over Old Ben Coal, now the tenth largest producer.

In these same years, Kennecott Copper acquired Peabody Coal, now number one in production, while General Dynamics became the eleventh largest producer by buying Freeman Coal and United Electric Coal, and American Metal Climax climbed to sixth place after buying Ayrshire Collieries.

When the dust cleared, 11 of the 15 largest coal companies were controlled by outside interests. Through their own production and acting as brokers for smaller companies' coal, 13 of these 15 companies controlled more than 60 per cent of annual U.S. coal sales.

Other oil companies which did not move into coal production in a big way did move into control of coal reserves. Standard Oil of New Jersey, now called Exxon, suddenly bought at least 7 billion tons of reserves. Atlantic Richfield became the second largest holder of federal coal land leases, with 43,500 coal acres.

The new coal industry run by oil means one change right off the bat: the UMWA is no longer bargaining with single-product coal companies, but with huge enterprises who make their money on a variety of businesses. Shutting down the coal production of Consolidation Coal or Island Creek during a contract strike was bound to have more effect when Consol and Island Creek were independent than it will now when each only contributes about 10 per cent of its parent company's total revenues.

This change has led to suggestions of joining with other energy unions like the Oil, Chemical, and Atomic Workers (OCAW) or of boycotting Conoco and Gulf and Sohio gasoline during the next contract strike if that is legal. But UMWA officials seem to think that rather than mimicking the concentration of the companies it would be better to pressure Congress, the Federal Trade Commission and the Justice Department into reversing that concentration. President Miller called for an investigation along those lines in his June 6 energy statement to the Senate Interior Committee.

The contract is one way oil control of coal affects the coal miner. Energy policy is another major way.

From a business point of view, oil's investment in coal made a great deal of sense. Coal was an unusually profitable industry, as it continues to be. but more importantly, by controlling coal the oil companies moved into position to stall industry and government research into technology necessary to fully develop coal as oil's competitor, such as low-sulfur burning techniques and gasification and liquefaction.

Moreover, the reserves of oil were clearly limited. A shift into control of other energy production would allow the oil companies to play off one resource against another to obtain the highest prices, the least "labor trouble," and the most advantageous treatment from government.

GAME PLAN WORKED

It was a good game-plan, and it worked—for the oil companies and against the coal miner. While Island Creek Coal's production per month fell in 1972, compared to the non-strike months of 1971 and while the nation screamed for energy, the chairman of the board of Occidental Petroleum, Island Creek's parent, was off to the Soviet Union to arrange for $8 billion worth of natural gas and to Saudi Arabia to arrange more oil imports.

While the coal industry failed to press development and use of sulfur pollution control devices, new coal giants Continental Oil and Gulf Oil and others were instead investing their money in uranium reserves and nuclear power processing, just in case.

And whether by conspiracy or just by common actions toward a common goal, the push an independent coal industry would naturally make for coal gasification and liquefaction has not taken place under oil leadership.

Actually, oil opposition to the processes of changing coal into substitutes for natural gas or gasoline has a surprisingly long history. Gasoline made from coal was used during World War II to power Hitler's war effort. By a written business agreement between I. G. Farben, a German chemical firm which developed the technique, and Standard Oil of New Jersey, Jersey Standard was given sole right to the process outside Germany. They proceeded to sit on it to keep anyone from using it in competition with Standard's oil and gas.

Consolidation Coal, when still independent, announced in 1961 that plans first developed in 1947 for gasification would be successful within ten years.

A contract was signed with Consol in 1963, before it was bought by Continental, calling for $9.9 million in federal money for development of gasoline from coal.

According to James Ridgeway in his excellent book on the energy crisis, The Last Play, "by 1971 the government had paid Continental $20 million and the plant still did not work. Indeed, the Interior Department had renegotiated the contract, letting Continental off the hook entirely, continu-

ing to provide them more funds so that the plant could be used for desulphurization of oil."

A Bureau of Mines official estimates that private industry spends $500 million a year on oil and gas research, but only $25 million on coal research.

While the oil-dominated coal industry was going slow on gasification and liquefaction, the lack of an independent voice for coal interests left coal very low on the federal government's list for public research subsidies to private industries. The current federal budget calls for only $62 million for coal research, less than 10 per cent of the total federal energy research budget.

But while Big Oil lobbyists dampened the government's enthusiasm for research subsidies to promote coal as a competitor to oil, they successfully encouraged other substantial kinds of government welfare to help oil achieve and maintain its grip on coal.

IRS GAVE TAX BREAK

Not only did the Justice Department fail to take anti-trust action against any of the oil-coal purchases, but the Internal Revenue Service (IRS) made a special ruling which allowed Continental Oil to avoid paying taxes on the income it used to buy Consolidation Coal. In effect, the coal miner—as a taxpayer—helped Continental to buy Consol through a complicated tax subsidy. Two years later, Kennecott Copper took advantage of the same public tax subsidy in buying Peabody Coal.

By another IRS ruling, coal operators can avoid paying taxes on up to half their income through a special depletion allowance. This is particularly attractive to steel companies and others like General Dynamics, which are the main users of their own coal since they can often sell coal to themselves at an inflated price and show the profits in the coal division where the taxes are lower. The depletion allowance and other special tax breaks generally have the effect of attracting investment by corporate giants with large amounts of money, like oil companies.

OTHER KINDS OF WELFARE

The same government generosity to coal profiteers is reflected by the failure to enforce mine safety laws and collect fine assessments and the failure to make coal operators pay from the beginning for black lung disease caused by high dust levels in their mines. Again, the government has been happy to provide every kind of financial break for the coal industry except research, apparently because every break except research helps oil and other interests who have moved into coal.

A bold example of government assistance in the oil takeover of coal is the leasing of federal coal lands to large interests like Atlantic Richfield and Continental Oil for an average $1 per year rental on each acre leased. These companies have been successfully pounding on the Interior Department's door, especially in the last ten years, in order to tie up valuable low-sulfur coal by keeping it out of production until they are ready to exploit it with gasification and liquefaction when the oil business runs into trouble from the political problems in the Middle East and emptying of U.S. reserves.

Thus, the amount of federal coal acreage leased soared from about 200,000 acres in 1960 to more than 775,000 in 1970. Yet, less than 2.4 per cent of the land leased in that decade is under production.

Despite the clear statement in Section 187 of the Mineral Lands and Mining Act that the Secretary of the Interior shall "insure . . . the prevention of monopoly" in leasing public lands, the top 15 lessors control over 60 per cent of the leased lands, and someday, when the energy conglomerates are ready to use the land they've leased, they may still be paying the ridiculously low rates for which they originally signed.

With federal coal lands held out of production and government and industry research into sulfur control and conversion techniques held to a minimum, the oil industry is nearly in a position to get whatever it wants because coal is not ready to take over its rightful share of the energy market. Big Oil would have a much more difficult time asking the public to ignore the environmental risks of offshore drilling or supertankers or the Alaska pipeline if an independent coal industry had developed coal as a ready alternative.

In the same way, oil and other large outside interests can use the lag in sulfur control development they seem to have caused to force acceptance of their place for western strip mining. Such mining is more profitable for the operator because it employs fewer men, often not under UMWA contract, but could threaten tens of thousands of coal miners' jobs and carry tremendous costs to the eastern and midwestern electric power consumer and to the environment.

Proper development of washing and blending of midwestern medium- and high-sulfur coal and expansion of eastern low-sulfur mining would have hurt the ability of the oil-coal barons to sell their western plan to the public.

ORGANIZE TO FIGHT BACK

The fight against oil domination of coal is not one the UMWA can wage alone. This is particularly true with the coal industry completely robbed of its voice box. For example, National Coal Association President Carl Bagge, who should speak for coal's interest but who speaks for his oil bosses, called on June 18 for loosening anti-trust laws to allow greater concentration by energy companies—just the opposite of what is needed.

A coalition with other unions, environmental organizations, and consumer groups would be necessary to lobby for abolition of tax incentives for concentration and for the government investigations and anti-trust actions which President Miller has demanded.

The coal barons have changed, but the need to organize against their power remains much the same. The profits and the control of lives are still in their hands. Only now the entire country is a company town.

THE COMPANIES THAT CONTROL YOUR FUTURE

Since the early 1960's, some of America's largest corporations have been rushing to buy up the coal industry, with oil giants, like Occidental Petroleum, Gulf Oil, and Continental Oil leading the way.

Private and government money for research that would make coal a competitor to oil, like gasification, liquefaction, and sulfur control, slowed to a trickle.

Other kinds of companies, especially steel interests, were attracted by possible tax advantages, and everyone was interested in the coal industry's high profits and bright future.

Whether UMWA miners now work for oil giant Standard Oil of Ohio or for weapons builder General Dynamics or for House builder Jim Walters, the effect is to leave coal policy in the hands of Big Oil and to put the UMWA against the nation's richest corporations in the next contract struggle.

Listed below are some of the largest coal companies controlled by outside interests.

CONTROLLED BY THE OIL INDUSTRY

Coal producer and controlling company

Consolidation Coal—Continental Oil.
Island Creek Coal—Occidental Petroleum.
Old Ben Coal—Standard Oil of Ohio.
Pittsburgh & Midway Coal—Gulf Oil.
Arch Coal—Ashland Oil.
Monterey Coal—Humble Oil.
Hawley Fuel—Belco Petroleum.
Canterbury Coal—Western Industries.

CONTROLLED BY THE STEEL INDUSTRY

Coal producer and controlling company

U.S. Steel—U.S. Steel.
Bethlehem Steel—Bethlehem Steel.
Republic Steel—Republic Steel.
Gateway Coal—Jones & Laughlin.
Buckeye, Olga & Youngstown Coal Mines—Youngstown Sheet & Tube.
Kaiser Steel—Kaiser Steel.
Cannelton Coal—Cannelton Industries.
Inland Steel—Inland Steel.
Armco—Armco.
National Mines & Meaver Creek Coal—National Steel.
Pikeville Steel—Steel Company of Canada.
Woodward Company—Woodward Company.
C. F. & I. Steel—C. F. & I. Steel.
Wheeling-Pittsburgh Steel—Wheeling-Pittsburgh Steel.

CONTROLLED BY UTILITIES

Coal producer and controlling company

Central Ohio Coal, Central Appalachian & Windsor Power Coal—American Electric Power.
Western Energy Company—Montana Power.
Pacific P & L—Pacific Power & Light.
Duquesne Light Company—Duquesne Light Company.
Washington Irrigation & Development—Washington Irrigation & Development.
Southern Electric Company—Southern Electric Company.
Greenwich Collieries & Tunnelton Mining—Pennsylvania Power & Light.
Alabama Power Company—Alabama Power Company.
Eastover Coal—Duke Power Company.

CONTROLLED BY METAL COMPANIES

Coal producer and controlling company

Peabody Coal—Kennecott Copper.
Amax Coal—American Metal Climax.
U.S. Fuel Company—U.S. Smelting & Refining.

CONTROLLED BY CHEMICAL COMPANIES

Coal producer and controlling company

Semet Solvay—Allied Chemical.
Barnes & Tucker—Alco.
Union Carbide—Union Carbide.
C & K Coal—Gulf Resources.

CONTROLLED BY OTHER OUTSIDE INTERESTS

Coal producer and controlling company

Freeman Coal & United Electric—General Dynamics.
Utah International—Utah International.
Alabama By-Products—Alabama By-Products.
MAPCO—MAPCO.
Ogleday Norton—Ogleday Norton.
International Harvester—International Harvester.
Boone County Coal—Zapata Noress.
Twilight Industries—U.S. Natural Resources.
Simpson Coal—Galloway Land Company.
Allison Engineering—Allison Engineering.
Aloe Coal—Pullman, Inc.
Gilbert Imported Hardwoods—Gilbert Imported Hardwoods.
U.S. Pipe and Foundry—Jim Walters Corp.

WHO CONTROLS PRODUCTION NOW?

15 largest coal producers	Major interest	1972 production in tons
Kennecott Copper (Peabody Coal Co.).	Metal	71,595,310
Continental Oil (Consolidation Coal Co.).	Oil	64,942,009
Occidental Petroleum (Island Creek Coal Co.).	Oil	22,605,114
Pittston Co.	Coal	20,639,020
U.S. Steel Corp.	Steel	16,254,400
American Metal Climax, Inc.	Metal, oil	15,718,787
Bethlehem Mines Corp.	Steel	13,335,245
Eastern Gas and Fuel (Eastern Associated Coal Corp.).	Gas	12,528,429
North American Coal Corp.	Coal	11,991,004

15 largest coal producers	Major interest	1972 production in tons
Standard Oil of Ohio (Old Ben Coal Corp.)	Oil	11,235,910
General Dynamics	Aircraft weapons	9,951,263
Westmoreland Coal Co	Coal	9,063,919
Gulf Oil (Pittsburg & Midway Coal Mining Co.)	Oil	7,548,791
American Electric Power (Central Ohio, Central Appal., Windsor Power Coal)	Electric utility	7,437,000
Utah International	Coal, metal	6,898,262

WHO OWNS COAL FOR THE FUTURE?

Company	Estimated reserves: Total (billion tons)	Estimated reserves: Low sulphur (percent)
Burlington Northern R.R	11.0	100
Union Pacific R.R	10.0	50
Kennecott Copper (Peabody Coal)	8.7	27
Continental Oil (Consolidation Coal)	8.1	35
Exxon (Monterey Coal)	7.0	NA
American Metal Climax (Amax Coal)	4.0	50
Occidental Petroleum (Island Creek Coal)	3.3	28
United States Steel	3.0	NA
Gulf Oil (Pitts. & Midway Coal)	2.6	8
North American Coal	2.5	80
Reynolds Metals	2.1	95
Bethlehem Steel	1.8	NA
Pacific Power & Light	1.6	100
American Electric Pwr	1.5	Minimal
Eastern Gas & Fuel Assoc. (Eastern Assoc. Coal)	1.5	33
Kerr-McGee	1.5	60
Norfolk & Western R.R	1.4	99
Utah International	1.3	94
Westmoreland Coal	1.2	88
Pittston Co	1+	100
Montana Power (Western Energy)	1.0	100
Standard Oil of Ohio (Old Ben Coal)	.8	Minimal
Ziegler Coal	.8	0
General Dynamics (Freeman/United Elec.)	.6	0
Rochester & Pitts. Coal	.3	0
Carbon Fuel	.1	97
Amer. Smelting & Refin. (Midland Coal)	.1	0

NA—Not available.

Note: As coal loomed larger as a key energy resource, oil companies and other outside corporations rushed during the 1960's to buy 11 of the top 15 coal producers. Outside control is even tighter on coal's future, as 16 of the top 17 holders of coal reserves are oil companies, railroads, steel and metal interests.

LEW DESCHLER

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ROONEY of Pennsylvania. Mr. Speaker, I share the sense of sadness which all of use feel with the decision of Lew Deschler to retire in his 50th year of service in the House of Representatives, almost all of those years as Parliamentarian.

Without a doubt, the history of legislative activity in this Chamber since 1927 has been influenced at every step of the way by the extraordinary wisdom and judgment of this extraordinary man. And the Deschler precedents, to the compilation of which he now can devote his full energy, will guide parliamentary law for as long as it shall endure.

Lew Deschler has served nine Speakers and has been Parliamentarian for 24 Congresses. Although I have known him for only a fraction of that period, I would hesitate to estimate the many times when I have personally sought his counsel and valued judgment.

We shall miss his conscientious service, his integrity, and his rare ability to clearly and accurately analyze parliamentary issues and reach decisions which invariably are sound and fair. These qualities have been the hallmark of his service to the House of Representatives and the Nation.

I extend to Lew Deschler and his wife, Virginia, my warmest regards and very best wishes for much happiness and good health. May they and their family derive lasting satisfaction from the knowledge that all of us who know them and have served with Lew are extremely grateful for having had the privilege.

"MEDICAL GROUP" AMENDMENT TO HEALTH MAINTENANCE ORGANIZATION ACT OF 1973

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ROY. Mr. Speaker, on December 29, 1973, the President signed the Health Maintenance Organization Act of 1973 into law. One important goal of the HMO legislation was to foster the growth and development of group medical practices which provide comprehensive health care benefits.

The latter goal has been somewhat frustrated by the language in the final bill. This is because the definition of a "medical group" provides that the members of such groups "as their principal professional activity and as a group responsibility engage in the coordinated practice of their profession for a health maintenance organization."

The requirement that physicians in group practices be principally engaged in the coordinated practice of their profession is desirable and an inherent and essential characteristic of group practice. I feel strongly that existing fee-for-service group practices offer a great opportunity for the development of HMO's. But to require that these groups convert more than 50 percent of their practice to an HMO is not reasonable.

The proposed regulations recently issued by the Department of Health, Education and Welfare ameliorate this problem by allowing a 3-year phase-in. Experience has shown that existing fee-for-service group practices can and have converted more than 50 percent of their resources to prepayment with desirable and successful results. However, the mandate of the law requiring a majority of physicians' time to be for the HMO at the end of a 3-year time frame is unreasonable in that it requires an organizational commitment to a goal over which the professional group has little control and, in some cases, may be impossible.

Accordingly, I would offer an amendment to section 1302 of the Health Maintenance Organization Act of 1973. This amendment changes the definition of a medical group by deleting the words "for a health maintenance organization."

H.R. 15739

A bill to amend section 1302 of the Health Maintenance Organization Act of 1973 by redefining the term "medical group."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that section 1302(4)(C)(i) of the Public Health Service Act is amended by striking the words "for a health maintenance organization."

IS CIA TOO COSTLY?

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. TIERNAN. Mr. Speaker, how much does the United States spend each year on its intelligence budget? Except for a handful of Senators and Congressmen, no one knows. Does a Member of Congress, or for that matter, an ordinary citizen, have the right to know? This interesting question was recently the subject of a U.S. Supreme Court decision. William B. Richardson, as a Federal taxpayer, brought suit for the purpose of obtaining a declaration of unconstitutionality of the Central Intelligence Agency Act, which permits the CIA to account for its expenditures "solely on the certificate of the Director." Although the Court dismissed Mr. Richardson's contention by a 5 to 4 margin, the dissenting opinions might be of some interest to the Members of Congress and the general public. It is for the purpose of an intelligent discussion of this question at a later date that I respectfully include the following:

[Supreme Court of the United States, No. 72-885]

UNITED STATES ET AL., PETITIONERS, *v.* WILLIAM B. RICHARDSON—ON WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT

[JUNE 25, 1974]

MR. JUSTICE DOUGLAS, dissenting.

I would affirm the judgment of the Court of Appeals on the "standing" issue. My views are expressed in the *Schlesinger* case decided this day. There a citizen and taxpayer raised a question concerning the Incompatibility Clause of the Constitution which bars a person from "holding any Office under the United States" if he is a Member of Congress, Art. I, § 6, cl. 2. That action was designed to bring the Pentagon into line with that constitutional requirement by requiring it to drop "reservists" who were Members of Congress.

The present action involves Art. I, § 9, cl. 7 of the Constitution which provides:

"No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

We held in *Flast* v. *Cohen*, 392 U. S. 83, that a taxpayer had "standing" to challenge the constitutionality of taxes raised to finance the establishment of a religion contrary to the command of the First and Fourteenth Amendments. A taxpayer making such outlays, we held, had sufficient "personal stake" in the controversy, *Baker* v. *Carr*, 369 U. S. 186, 204, to give the case the "concrete adverseness" necessary for the resolution of constitutional issues. *Ibid.*

Respondents in the present case claim that they have a right to "a regular statement and account" of receipts and expenditures of public moneys for the Central Intelligence Agency. As the Court of Appeals noted, *Flast* recognizes "standing" of a taxpayer to challenge appropriations made in the face of a constitutional prohibition, and it logically asks. ". . . how can a taxpayer make that challenge unless he knows how the money is being spent?" *Richardson* v. *United States*, 465 F. 2d 844, 853.

History shows that the curse of government is not always venality; secrecy is one of the most tempting coverups to save regimes from criticism. As the Court of Appeals said:

"The Framers of the Constitution deemed fiscal information essential if the electorate was to exercise any control over its representatives and meet their new responsibilities as citizens of the Republic; and they mandated publication, although stated in general terms, of the Government's receipts and expenditures. Whatever the ultimate scope and extent of that obligation, its elimination generates a sufficient, adverse interest in a taxpayer." *Ibid.* (Footnote omitted.)

Whatever may be the merits of the underlying claim, it seems clear that the taxpayers in the present case are not making generalized complaints about the operation of government. They do not even challenge the constitutionality of the Central Intelligence Agency Acts. They only want to know the amount of tax money exacted from them that goes into CIA activities. Secrecy of government acquires new sanctity when their claim is denied. Secrecy has of course some constitutional sanction. Art, I, § 5, cl. 3 provides that "Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy . . ."

But the difference was great when it came to an accounting of public money. Secrecy was the evil at which Art. I, § 9, cl. 7 was aimed. At the Convention Mason took the initiative in moving for an annual account of public expenditures. 2 Farrand, The Records of the Federal Convention of 1787, p. 618. Madison suggested it be "from time to time," *id.*, 618–619, because it was thought that requiring publication at fixed intervals might lead to no publication at all. Indeed under the Articles of Confederation "[a] punctual compliance being often impossible, the practice had ceased altogether." *Id.*, at 619.

During the Maryland debates on the Constitution, James McHenry said, "[T]he people who give their money ought to know in what manner it is expended," 3 Farrand, *supra*, at 150. In the Virginian debates Mason expressed his belief that while some matters might require secrecy (*e. g.*, ongoing diplomatic negotiations and military operations) ". . . he did not conceive that the receipts and expenditures of the public money ought ever to be concealed. The people, he affirmed, had a right to know the expenditures of their money." 3 J. Elliot. Debates on the Federal Constitution, p. 459. Lee said that the clause "must be supposed to mean, in the common acceptation of language, short, convenient periods" and that those "who would neglect this provision would disobey the most pointed directions." *Ibid.* Madison added that an accounting from "time to time" insured that the accounts would be "more full and satisfactory to the public, and would be sufficiently frequent." *Id.*, at 460. Madison thought "this provision went farther than the constitution of any state in the Union, or perhaps in the world." *Ibid.* In New York, Livingston said, "Will not the representatives . . . consider it as essential to their popularity, to gratify their constituents with full and frequent statements of the public accounts? There can be no doubt of it," 2 Elliot, *supra*, at 347.[1]

From the history of the clause it is apparent that the Framers inserted it in the Constitution to give the public knowledge of the way public funds are expended. No one has a greater "personal stake" in policing this protective measure than a taxpayer. Indeed, if a taxpayer may not raise the question, who may do so? The Court states that discretion to release information is in the first instance "committed to the surveillance of Congress," and that the right of the citizenry to information under Art. I, § 9, cl. 7 cannot be enforced directly, but only through the "slow, cumbersome and unresponsive" electoral process. One has only to read constitutional history to realize that statement would shock Mason and Madison. Congress of course has discretion; but to say that it has the power to read the clause out of the Constitution when it comes to one or two or three agencies is astounding. That is the bare bone issue in the present case. Does Art. I, § 9, cl. 7 of the Constitution permit Congress to withhold "a regular statement and account" respecting any agency it chooses? Respecting all federal agencies? What purpose, what function is the clause to perform under the Court's construction? The electoral process already permits the removal of legislators for any reason. Allowing their removal at the polls for failure to comply with Art. I, § 9, cl. 7, effectively reduces that clause to a nullity, giving it no purpose at all.

The sovereign in this Nation are the people, not the bureaucracy. The statement of accounts of public expenditures goes to the heart of the problem of sovereignty. "If taxpayers may not ask that rudimentary question, their sovereignty becomes an empty symbol and a secret bureaucracy is allowed to run our affairs."

The resolution of that issue has not been entrusted to one of the other coordinate branches of government—the test of the "political question" under *Baker* v. *Carr*, *supra*, at 217. The question is "political" if there is "a textually demonstrable constitutional commitment of the issue to a coordinate political department," *ibid.* The mandate runs to the Congress and to the agencies it creates to make "regular Statement and Account of the Receipts and Expenditures of all public Money." The beneficiaries—as is abundantly clear from the constitutional history—are the public. The public cannot intelligently know how to exercise the franchise unless they have a basic knowledge concerning at least the generality of the accounts under every head of government. No greater crisis in confidence can be generated than today's decision. Its consequences are grave because it relegates to secrecy vast operations of government and keeps the public from knowing what secret plans concerning this or other nations are afoot. The fact that the result is serious does not of course make the issue "justiciable." But resolutions of any doubts or ambiguities should be towards protecting an individual's stake in the integrity of constitutional guarantees rather than turning him away without even a chance to be heard.

I would affirm the judgment below.

FOOTNOTE

[1] Livingston used the proposed Art. I, § 9, cl. 7, to combat the idea that the new Congress would be corrupt. He said in part: "You will give up to your state legislatures everything dear and valuable; but you will give no power to Congress, because it may be abused; you will give them no revenue, because the public treasures may be squandered. But do you see here a capital check? Congress are to publish, from time to time, an account of their receipts and expenditures. Those may be compared together; and if the former, year after year, exceed the latter, the corruption will be detected, and the people may use the constitutional mode of redress. The gentleman admits that corruption will not take place immediately: its operation can only be conducted by a long series and a steady system of measures. These measures will be easily defeated, even if the people are unapprized of them. They will be defeated by that continual change of members, which naturally takes place in free governments, arising from the disaffection and inconstancy of the people. A changeable assembly will be entirely incapable of conducting a system of mischief; they will meet with obstacles and embarrassments on every side." 2 Elliot, *supra*, pp. 345–346.

[Supreme Court of the United States, No. 72–885]

UNITED STATES, ET AL., PETITIONERS, v. WILLIAM B. RICHARDSON—ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

[JUNE 25, 1974]

MR. JUSTICE STEWART, with whom MR. JUSTICE MARSHALL joins, dissenting.

The Court's decisions in *Flast* v. *Cohen*, 392 U.S. 83 (1968), and *Frothingham* v. *Mellon*, 262 U.S. 447 (1923), throw very little light on the question at issue in this case. For, unlike the plaintiffs in those cases, Richardson did not bring this action asking a court to invalidate a federal statute on the ground that it was beyond the delegated power of Congress to enact or that it contravened some constitutional prohibition. Richardson's claim is of an entirely different order. It is that Art. I, § 9, cl. 7 of the Constitution, the Statement and Account Clause, gives him a right to receive, and imposes on the Government a corresponding affirmative duty to supply, a periodic report of the receipts and expenditures "of all public Money."[1] In support of his standing to litigate this claim, he has asserted his status both as a taxpayer and as a citizen-voter. Whether the Statement and Account Clause imposes upon the Government an affirmative duty to supply the information requested and whether that duty runs to every taxpayer or citizen are questions that go to the substantive merits of this litigation. Those questions are not now before us, but I think that the Court is quite wrong in holding that the respondent was without standing to raise them in the trial court.

Seeking a determination that the Government owes him a duty to supply the information he has requested, the respondent is in the position of a traditional Hohfeldian plaintiff.[2] He contends that the Statement and Account Clause gives him a right to receive the information and burdens the Government with a correlative duty to supply it. Courts of law exist for the resolution of such right-duty disputes. When a party is seeking a judicial determination that a defendant owes him an affirmative duty, it seems clear to me that he has standing to litigate the issue of the existence *vel non* of this duty once he shows that the defendant has declined to honor his claim. If the duty in question involved the payment of a sum of money, I suppose that all would agree that a plaintiff asserting the duty would have standing to litigate the issue of his entitlement to the money upon a showing that he had not been paid. I see no reason for a different result when the defendant is a government official and the asserted duty relates not to the payment of money, but to the disclosure of items of information.

When the duty relates to a very particularized and explicit performance by the asserted obligor, such as the payment of money or the rendition of specific items of information, there is no necessity to resort to any extended analysis, such as the *Flast* nexus tests, in order to find standing in the

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Footnotes at end of article.

obligee. Under such circumstances, the duty itself, running as it does from the defendant to the plaintiff, provides fully adequate assurance that the plaintiff is not seeking to "employ a federal court as a forum in which to air his generalized grievances about the conduct of government or the allocation of power in the Federal System." *Flast, supra,* at 106. If such a duty arose in the context of a contract between private parties, no one would suggest that the obligee should be barred from the courts. It seems to me that when the asserted duty is, as here, as particularized, palpable, and explicit as those which courts regularly recognize in private contexts, it should make no difference that the obligor is the government and the duty is embodied in our organic law. Certainly after *United States* v. *SCRAP,* 412 U.S. 669 (1973), it does not matter that those to whom the duty is owed may be many. "[S]tanding is not to be denied simply because many people suffer the same injury." 412 U.S., at 687.

For example, the Freedom of Information Act creates a private cause of action for the benefit of persons who have requested certain records from a public agency and whose request has been denied. 5 U.S.C. § 552(a)(3). The statute requires nothing more than a request and the denial of that request as a predicate to a suit in the District Court. The provision purports to create a duty in the Government agency involved to make those records covered by the statute available to "any person." Correspondingly, it confers a right on "any person" to receive those records, subject to published regulations regarding time, place, fees, and procedure. The analogy, of course, is clear. If the Court is correct in this case in holding that Richardson lacks standing under Art. III to litigate his claim that the Statement and Account Clause imposes an affirmative duty that runs in his favor, it would follow that a person whose request under 5 U.S.C. § 552 has been denied would similarly lack standing under Art. III despite the clear intent of Congress to confer a right of action to compel production of the information.

The issue in *Flast* and its predecessor, *Frothingham, supra,* related solely to the standing of a federal taxpayer to challenge allegedly unconstitutional exercises of the taxing and spending power. The question in those cases was under what circumstances a federal taxpayer whose interest stemmed solely from the taxes he paid to the Treasury "[would] be deemed to have the personal stake and interest that impart the necessary concrete adverseness to such litigation so that standing can be conferred on the taxpayer *qua* taxpayer consistent with the Constitutional limitations of Article III." 392 U.S., at 101. But the "nexus" criteria developed in *Flast* were not intended as a litmus test to resolve all conceivable standing questions in the federal courts; they were no more than a response to the problem of no more than a response to the problem of taxpayer standing to challenge federal legging and spending power of Congress.

Richardson is not asserting that a taxing and spending program exceeds Congress' delegated power or violates a constitutional limitation on such power. Indeed, the constitutional provision that underlies his claim does not purport to limit the power of the Federal Government in any respect, but, according to Richardson, simply imposes an affirmative duty on the Government with respect to all taxpayers or citizen-voters of the Republic. Thus, the nexus analysis of *Flast* is simply not relevant to the standing question raised in this case.

The Court also seems to say that this case is not justiciable because it involves a political question. *Ante,* at 12–13. This is an issue that is not before us. The "Question Presented" in the Government's petition for certiorari was the respondent's "standing to challenge the provisions of the Central Intelligence Agency Act which provide that appropriations to and expenditures by that Agency shall not be made public on the ground that such secrecy contravenes Article I, section 9, clause 7 of the Constitution."[3] The issue of the justiciability of the respondent's claim was thus not presented in the petition for certiorari, and it was not argued in the briefs.[4] At oral argument, in response to questions about whether the Government was asking this Court to rule on the justiciability of the respondent's claim, the following colloquy occurred between the Court and the Solicitor General:

"Mr. BORK. . . . I think the Court of Appeals was correct that the political question issue could be resolved much more effectively if we were in the full merits of the case than we can at this stage. I think standing is all that really can be effectively discussed in the posture of the case now.

"Q. . . . [I]f we disagree with you on standing, the government agrees then that the case should go back to the District Court?

"Mr. BORK. I think that is correct."

The Solicitor General's answer was clearly right. "[W]hen standing is placed in issue in a case, the question is whether the person whose standing is challenged is a proper party to request an adjudication of a particular issue and not whether the issue itself is justiciable." *Flast, supra,* at 99–100.

On the merits, I presume that the Government's position would be that the Statement and Account Clause of the Constitution does not impose an affirmative duty upon it; that any such duty does not in any even run to Richardson; that any such duty is subject to legislative qualifications, one of which is applicable here; and that the question involved is political and thus not justiciable. Richardson might ultimately be thrown out of court on any one of these grounds, or some other. But to say that he might ultimately lose his lawsuit certainly does not mean that he had no standing to bring it.

For the reasons expressed, I believe that Richardson had standing to bring this action. Accordingly, I would affirm the judgment of the Court of Appeals.

FOOTNOTES

[1] "No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

[2] Jaffe, The Citizen as Litigant in Public Actions: The Non-Hohfeldian or Ideological Plaintiff, 116 U. Pa. L. Rev. 1033 (1968). See Hohfeld. Some Fundamental Legal Conceptions as Applied in Judicial Reasoning, 23 Yale L. J. 16 (1913).

[3] The Court has often indicated that, except in the most extraordinary circumstances, it will not consider questions that have not been presented in the petition for certiorari. *E. g., General Talking Pictures Corp.* v. *Western Electric Co.,* 304 U. S. 175, 177–178 (1938); *National Licorice Co.* v. *Labor Board,* 309 U. S. 350, 357 n. 2 (1940); *Irvine* v. *California,* 347 U. S. 128, 129 (1954) (Jackson, J.); *Mazer* v. *Stein,* 347 U. S. 201, 206 n. 5 (1954).

[4] The District Court dismissed the complaint on the alternative grounds of lack of standing and nonjusticiability (because the court thought that the question involved was a political one). The Court of Appeals reversed the standing holding, but concluded that the justiciability issue was so intertwined with the merits that it should await consideration of the merits by the District Court on remand. The Government then brought the case here on petition for certiorari.

ELECTRONIC SURVEILLANCE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. KOCH. Mr. Speaker, I would like to append for the information of our colleagues material from the American Civil Liberties Union report by Herman Schwartz, professor of law, State University of New York at Buffalo, entitled "A Report on the Costs and Benefits of Electronic Surveillance—1972." The material follows:

COMMENTS

A few miscellaneous comments may be useful before turning to the next section on costs.

1. It is clear that the figures contain a lot of curiosities and surprises, such as the low state figure for persons overheard, and the expansion of eavesdropping for gambling purposes. As the figures show, by the end of 1971, both federal and state officials were using wiretapping overwhelmingly for gambling, sometimes for drugs, and rarely for anything else. Homicide, espionage and kidnapping, the serious crimes for which wiretapping was allegedly proposed,[1] rarely appear in the reports—indeed, actual homicides are involved far less than appears, since the Administrative Office classifies as "Homicide" all authorizations in which homicide is anywhere mentioned. This includes threats of homicide, attempted murder and cases where homicide is only one of seven or eight crimes listed, as frequently happens in New York.

Kidnapping is often used as the most emotionally persuasive instance for the use of wiretapping. Yet, the figures show quite clearly that electronic surveillance is *almost never* used for that offense, on either the federal or state level.

2. There is a possibility with the state installations, that the number of persons overheard is overstated. The Report of course cannot indicate whether several taps are catching the same person in an investigation where several orders are obtained. This is not much of a problem with the federal surveillance since the Department of Justice has informed me that there is no overlapping of people on the various reports. Even with the state taps, it is of course likely to be a relatively small figure.

3. Although the states have come to use wiretapping primarily for gambling and, to a far lesser extent, for drugs, the statute is extremely generous with regards to state wiretapping and bugging: any offense involving a danger to life, limb or property carrying a penalty of a year or more, and any offense involving drugs or gambling. The states may use it for the most trivial crimes—one upstate New York prosecutor used it to catch two youngsters who were turning in false fire alarms.

4. The very sharp differences in average numbers of people and conversations overheard per installation, as well as the very sharp fluctuations even within the federal and state systems—and state systems means largely New York and New Jersey—raises questions as to the accuracy of the reporting, to say the least. The state installations are generally in for much longer periods, but they invariably listen in on fewer people and conversations. Why? And why do the figures fluctuate so much from year to year within the federal system?

5. During this four-year period, only *two*

Footnotes at end of article.

applications out of 1,891 were denied, lending some credence to the views of those who claimed that even a court order system offers little protection; extension applications fared almost as well. As Philadelphia District Attorney Arlen Specter has delicately put it:

"Judges tend to rely upon the prosecutor . . . Experience in our criminal courts has shown the prior judicial approval for search and seizure warrants is more a matter of form than of substance in guaranteeing the existence of probable cause to substantiate the need for a search . . . Some judges have specifically said they do not want to know the reasons for the tap so that they could not be accused later of relaying the information to men suspected of organized crime activities."

And this view is shared by many others.

6. The state electronic eavesdropping was concentrated in two states: New York consistently had the lion's share, and New Jersey was generally second, with other states very far behind. The breakdown in authorizations is as follows:

	New York	New Jersey	All Others
1968	167	----------	7
1969	191	45	33
1970	213	178	23
1971	254	187	90

In addition, only some 20 states had enacted wiretap legislation by December 31, 1971 and of these about a third did not choose to use it in either 1970 or 1971.

7. Although the federal average stayed at 135 days, many state installations lasted for many months. The long-term taps were generally in New York, and often reached 6 months to a year.

8. In an effort to calm suspicions, the Justice Department and former Attorney General John N. Mitchell have frequently referred to the detailed attention given each application by the Department, and especially Mr. Mitchell. Thus, in 1969, he declared that the number of applications was low because he "insisted that each application and full supporting papers be personally presented to me for my evaluation." Quoted in Elliff, *Crime, Dissent and the Attorney General* 68 (1971). Mr. Mitchell's assurances have been shown up as blatant falsehoods in the most embarrassing way possible: a great many 1969 and 1970 orders have been found illegal and the evidence obtained thereby suppressed, because it turned out that despite the appearance of both Mitchell's initials and Assistant Attorney General Will Wilson's purported signature, neither had ever seen the application—the initials and signature were affixed by deputies.[2] In explanation of this practice, government lawyers in one case argued that the Attorney General could not be expected to consider each of the hundreds af applications, see U.S. v. Giordano, 469 F.2. 522, 12 Crl 2204 (4th Cir. 1972), in flat contradiction to Mitchell's 1969 assurances. So much for Mitchell's "personal . . . evaluation"; [3] Will Wilson resigned under fire because of a Texas scandal.

9. The weakness of the court-ordered system in minimizing and controlling the abuses of tap-happy prosecutors is reflected in another weakness in the statute: it permits judge-shopping. It is not enough for law enforcement authorities that so many judges see themselves as merely the judicial side of law enforcement,[4] but the statute allows prosecutors to go to any judge of a court of competent jurisdiction. As a result, one sees over and over again that in certain jurisdictions, one judge issues all or most of the applications. Thus, in Erie and Niagara Counties, N.Y.—where there are many judges available—one judge issued 13 out of the 14 1971 orders and in 1970, he issued 8 out of 9 Erie County orders and all 10 Niagara County orders; many of these have been suppressed in federal and state courts as improperly issued or executed. In Albany County, one judge issued 12 out of 14 1971 orders. In New Jersey, one judge issued most of the many orders in 1970 and 1971; in other New Jersey counties, only one judge's name appears as the issuing judge. And the same holds true elsewhere, such as Florida and Baltimore, Maryland.

There seems less of this in the federal system, but even there the Eastern District of Pennsylvania shows only one judge's name.[5]

10. The statute expressly requires that the number of nonincriminating interceptions be minimized, 18 U.S.C. § 2518(5) and that unless the court orders otherwise, the interception when the conversations sought to be intercepted at first overheard. Court cases—which obviously represent only the very small tip of a very large iceberg—indicate that very little of this minimization is even being attempted; indeed, one federal court threw out all the interceptions because the FBI agents did not even try to minimize. *U.S. v. Scott*, 331 F. Supp. 233 (D.D.C. 1971). And there is no reason to think that such minimization is going on at the state level; the relatively small percentage of incriminating conversations on state taps, see below, indicates the exact opposite—and this is based on figures supplied by the prosecutors themselves, which are obviously susceptible to understandable puffing. As for the accuracy of the federal figures on their rather high percentage of incriminating conversations, see below at p. 88.

b. There is also a requirement that the interception end when the conversations sought are first obtained, unless a court orders otherwise. A rather impressionistic check of the few orders that have been in litigation indicates that judges order "otherwise" as a matter of course; in this respect—as seems in so many others—a person subject to wiretapping and bugging gets *less* protection than the victim of a conventional search, rather than more, as the Supreme Court directed.

In short, the court order protections are operating about as well as could be expected—poorly.

11. Relatively few bugs were installed—most of the surveillance was by means of telephone taps.

FOOTNOTES

[1] See, *e.g.*, Brownell, *The Public Security and Wiretapping*, 39 Corn. L. Q. 195, 201: "How can we possibly preserve the safety and liberty of everyone in this nation unless we pull federal prosecuting attorneys and their straitjackets and permit them to use the intercepted evidence in the trial of security cases and other heinous offenses such as kidnapping?"

[2] See, *e.g.*, United States v. Robinson, ——— F.2d. ——— (5th Cir.) 469 F.2d. 522, 12 CrL. 2204) (4th Cir. 1972).

[3] One FBI agent has described former Attorney General Mitchell as "a signing fool . . . We just ask him and he signs them," (*Newsweek*, 5/10/71, p. 30A), and there is even more evidence to support this implication of less than scrupulously restrained authority. For example, in the Jewish Defense League case, Mitchell certified that the JDL was tapped in connection with foreign security matters and that "it would prejudice the national interest to disclose the particular facts contained in the sealed exhibits concerning this surveillance other than to the court, *in camera*." Yet, when the Court ordered that these logs be turned over to the defendant two weeks later, the Department complied, rather than face a dismissal of the case, even though it could easily have refused and appealed, the basis for the order being a rather novel (though to this observer, correct) legal position. In that case, it was also disclosed that whereas the government initially asserted that the tapping of the JDL stopped when the indictment came down, the surveillance actually continued well after the indictment, almost up to the day the government agreed to turn over the logs. Inevitably, lawyer-client conversations were overheard.

[4] See H. Schwartz, *Judges as Tyrants*, 7 Cr. L. Bull. 129 (1971).

[5] Because there are two judges there with that name, it is not clear whether one or two judges are involved in a very large number (30) of the 1970–71 installations, but conversations with Philadelphia lawyers indicate that it is only one.

THE DICTATORSHIP OF FEDERAL COURTS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. FISHER. Mr. Speaker, many Members will remember Ed Gossett who served in this body for 13 years before voluntarily retiring in 1951 to become general attorney in Texas for Southwestern Bell Telephone Co., a position he held for 16 years.

Mr. Gossett is presently judge of criminal district court in Dallas, where he has tried over 125 jury, and over 1,000 nonjury cases per year, believed to be a national record.

Judge Gossett is chairman of the State Bar of Texas Federal Court Study Committee. In the May 1974 issue of the Texas Bar Journal appeared a thoughtful and scholarly article written by Mr. Gossett, containing personal views, entitled "The Dictatorship of Federal Courts." I commend it to the Members. It is an excellent dissertation on a subject of great importance.

The article follows:

THE DICTATORSHIP OF FEDERAL COURTS

(By Ed Gossett)

The absolute monarchs of the Supreme Court are killing the "glorious American experiment in democracy."

Thomas Jefferson anticipated this catastrophe when saying: "It is a very dangerous doctrine to consider the Judges as the ultimate arbiters of all of our Constitutional questions; it is one which would place us under the despotism of an oligarchy."

We do not question the integrity of any judge. We simply condemn a system and a philosophy that invite the unrestrained dictatorship of the federal courts.

In the last twenty-five years, our Supreme Court has become a super legislature responsible to no one. It has become a continuing Constitutional Convention without an elected delegate. It has become a dictatorship, unlimited. It has made a shambles of the Constitution.

The U.S. Conference of Chief Justices meeting in Pasadena, California, on August 23, 1958, considered the unanimous report of its committee on Federal-State Relationships as affected by judicial decisions (meaning federal court decisions, primarily those of the Supreme Court).

They filed a lengthy and scholarly report affirmatively approved by 36 Chief Justices. They viewed with alarm the usurpation by Federal Courts of powers belonging exclusively to the states. They predicted that if such a trend continued it would destroy the Federal Republic. At its ensuing convention the American Bar Association simply looked the other way. Such trend has continued.

Now we briefly document aforesaid allegations. Let's look first at the civil side of the docket.

Under the authority of *Baker* v. *Carr*, *Reynolds* v. *Sims*, *Gray* v. *Sanders* and other cases, state constitutions, state laws, state courts, and all state political institutions have been at the complete sufferance of federal courts. Federal courts have nullified numerous provisions of state constitutions, held hundreds of laws, both state and federal, to be unconstitutional, and have dictated to all state courts and to all state political organizations.

In 1965 a federal court redistricted Oklahoma and changed the size and composition of both houses of the State Legislature. Just now a federal court is redrawing the congressional districts of the State of Texas, nullifying an act of the State Legislature. All are familiar with the havoc caused by forced school busing imposed by federal courts. The federal courts in fact have usurped much of the authority of every class of elected state official.

We have been in war most of this century to make the world safe for democracy. We have fought some of those wars, i.e., Korea (33,629 killed, 103,284 wounded) and Vietnam (46,000 killed, 304,000 wounded) for the specific purpose of giving those people the right of self-determination and self-government. We have helped to create at least a dozen independent states in Africa on the theory that people have a right to self-determination. Ironically, at frightful expense, we have tried to spread democracy all over the world while destroying it at home. Incongruously, our foreign policy has been anti-colonial while our domestic policy has been colonial.

Incentive, imagination, initiative, individualism, and diversity in all facets of our lives made ths country great. Now, thanks in large part to the Supreme Court, we are replacing these things with the stagnation of regimentation.

The most liberal member of the Constitutional Convention must be turning over in his grave at what our Supreme Court, in the last twenty-five years, has done to his Great Charter of Liberty, a charter for the separation and limitations upon governmental powers; his system of checks and balances, so painfully contrived, has been destroyed.

The Federal Judiciary has nullified the Tenth Amendment to the Constitution, which specifically states *"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."*

Now to the criminal side of the docket, with which this article is primarily concerned. The Court has stripped society of many of its old, proven, and legitimate defenses against crime. During the first 150 years of our nation's history, state courts were responsible for law enforcement in 90% of intrastate crime; and they did a good job. Now the federal courts have placed state courts in a procedural strait jacket; they have stymied good law enforcement.

Instead of helping to stop the crime floods our federal courts have been shooting holes in the dikes. We enumerate several examples which can be multiplied manyfold. In *Mapp v. Ohio* (1961) the Court held that evidence obtained by so-called illegal search and seizure cannot be used as evidence in state courts. An example of how this works is the case of Daniel William Grundstrom tried by our court, Criminal District Court No. 5, Dallas County, Texas. Grundstrom, who had numerous prior arrests, two prior convictions for burglary, and one for theft, committed an armed robbery in the City of Dallas. He was seen fleeing from the scene and an alarm was broadcast for his apprehension. He ran a red light and was stopped by a traffic policeman. The policeman had not heard the alarm and did not know of the robbery. When he arrested Grundstrom he found the guns, the money and other loot taken in the robbery occurring a few minutes earlier. Grundstrom was tried and convicted and given 25 years in the Texas Department of Corrections. Later he sued out a writ of habeas corpus in a federal court. The federal court held that since the traffic officer did not know of the robbery he had no right to search the car (had he known of the robbery the search would have been "legal"); therefore, the fruits of the robbery could not be used as evidence. Grundstrom was freed because arrested by the wrong cop. Within a few months he committed another robbery in the City of Midland, was tried and convicted and is now back in the Texas Department of Corrections.

Another example of the federal courts' imposing a flimsy technicality on a state court and freeing an habitual criminal, is the case of Alvin Darrell Slaton, tried in our court. This man, with a long criminal record, was tried in 1966 for the possession of narcotics and given a 40-year sentence. In 1971, he filed a writ of habeas corpus in the federal court aleging that he had been tried in his jail uniform against his will. The federal court alleging that he had been tried in his oner because he was deemed to have been prejudiced by having on a jail uniform during his trial. Within a few months after his release, he shot a man five times in the head and was again caught with a large amount of narcotics.

In *Gideon v. Wainwright* (1963) the Supreme Court held that the state must provide free counsel for felony defendants at all stages of prosecution. As a result of this and other cases, thousands of convicts have been turned out of penitentiaries all over the United States, not because they were innocent, but on the ground that they had not been represented by counsel when they entered their pleas of guilty to various crimes, or that they had been inadequately represented by counsel, or other procedural technicalities.

In *North Carolina v. Pierce* (1969) a federal court held that a defendant, once convicted in a state court and given "X" number of years, cannot thereafter be given any greater penalty if his case is reversed on appeal. These and other ruling have led to thousands of frivolous appeals by defendants, since they have nothing to lose by appealing; also, many can now serve their sentence in county jails rather than in the state penitentiaries. This further overloads jails and court dockets. Largely because of technicalities imposed on state courts by federal courts, it takes four to five times as long to dispose of a criminal case in America as it does in England.

Another Dallas County, Texas, case in point is that of Edward MacKenna (1957). MacKenna, who had seven prior felony convictions, was found guilty of felony theft and sentenced to eight years in the penitentiary. His case was unanimously affirmed by the Appellate Court. After serving four years MacKenna was freed by a federal court (the Fifth Circuit). The Court said the State had denied said defendant "due-process" because the trial judge had refused defendant a continuance (not shown to be harmful) and had wrongfully appointed an attorney to assist him, whereas defendant wanted to represent himself without assistance.

This case is notable primarily because of two dissenting opinions by two able and distinguished judges, i.e., the late Justice Hutcheson and the late Justice Cameron. Justice Hutcheson condemned "the flood of activist federal decisions" and said of the MacKenna case: "It is another of the growing number of cases in which federal appellate courts, asserting a kind of moral and legal superiority in respect to provisions made by state legislatures regarding criminal trials and the proceedings in state courts in respect of such trials, which they do not have, seek to exercise a suzerainty and hegemony over them which, under the Constitution, they do not now have, and, if we are to continue to hold to our federal system, they cannot in law and fact exercise." The Judge, with irrefutable logic, states emphatically that "if such decisions continue to be the rule, the states and their courts will be indeed reduced to a parlous state, and the federal union will be no more." (To same effect see former Attorney General Elliot L. Richardson's article "Let's Keep It Local," June 1973 issue Reader's Digest.)

Agreeing with Justice Hutcheson, Justice Cameron said: "The majority here looses the long insensate arm of the federal government and impowers it to filch from the hands of the officials of a sovereign state the key to the house and to set free one who was duly and legally convicted of violating the laws, not of the nation, but of the State of Texas."

In *Jackson v. State* (1964) in the Federal District Court, Northern District of Texas, Judge Leo Brewster in denying an assault by a federal court upon a state court, said of his activist brethren: "A layman from another country reading these motions would likely get the idea that the real menace to society in the case was not the criminal who was convicted even of a heinous crime, but the trial judge, the prosecuting attorney, the investigating officer, or even the counsel for the defendant, who had labored conscientiously and well for his client, sometimes without pay."

In *Miranda* v. *Arizona* (1966) the Supreme Court made it extremely difficult to obtain a confession to a crime. All of the warnings you see on the TV crime shows are required by the Miranda decision. In effect, an officer must try to talk a defendant out of a confession before he can accept one. In *Davis* v. *Mississippi* (1969) the Federal Courts freed a State prisoner because an officer fingerprinted him prior to arrest without his consent; thus, evidence linking him to the rape of an 85-year-old woman could not be used. In *Massaih* v. *The United States* (1964) the State was forced to release a guilty defendant because incriminating statements were elicited from him in the absence of his counsel. In *U.S.* v. *Wade* (1967) the Supreme Court held a robber convicted even upon the positive identification of the victim, must go free if such positive identification was in any way bolstered by seeing the defendant in a police line-up to which he had not agreed.

If you have read Truman Capote's excellent book *In Cold Blood*, you were doubtless horrified when a whole family was exterminated by two ex-convicts. Hardly a day goes by without such atrocious episodes being repeated in some part of the country.

Since 1967 the federal courts have enjoined all executions. In 1968 the Supreme Court in *Witherspoon* v. *Illinois* made it practically impossible to select a jury with enough courage to assess a death penalty. In 1972 came the real coup de grace to effective law enforcement when the Supreme Court in effect abolished the death penalty. Its decision saved from death many confirmed sadistic criminals who were multiple killers for money of innocent victims. Now itinerant human parasites roam the country robbing and killing with little fear of the consequences. It is more than a happenstance that since 1967, major crime in this country has doubled. Rapes, robberies, kidnapings, murders, skyjackings and assassinations have become commonplace daily occurrences. In the last 25 years, due in part to Federal Court mandates, the safety of "our lives, our property and our sacred honor" has been subjected to constant ercsion. The effective abolition of the death penalty has further eroded these values immeasurably, and has made our situation intolerable. While most states have

rewritten their death penalty laws in an effort to comply with the Supreme Court decisions, it will be many years before any criminal can be executed, if at all and if ever.

Almost daily, the defiled and mutilated body of somebody's wife or daughter is pulled from the bottom of an old well, recovered from some dilapidated shack, or found floating in a muddy stream. The Federal Courts prevent any real punishment of the savage perverts committing these horrendous crimes.

Have we lost our sense of value? Has society lost the right and power to defend itself? Are we no longer capable of righteous indignation? Do we accept all of this horrible debauchery as a way of life?

In outlawing the death penalty, the Supreme Court has removed the shotgun from over the door of civilization. To abolish the death penalty is an insult to the decency and dignity of man. Every intelligent student of history knows that when the founding fathers outlawed "cruel and unusual punishment" they were simply outlawing medieval torture methods such as burning, starving, mutilating, or flogging to death.

A sad, indisputable fact of life is that human mad dogs exist. It is not only stupid but is "cruel and unusual punishment" not to execute them. The doctor's knife must be cruel in order to be kind. If the ruptured appendix is not removed, the patient dies.

The death penalty is prescribed in certain cases by all major religions. The Bible, the Talmud, and the Koran all approve of death as a necessary punishment for many crimes. All of history, both sacred and secular, upholds the validity of the death penalty.

Our indictments conclude with the phrase "against the peace and dignity of the State." We have compelled hundreds of thousands of our finest young men to die in combat for the peace and dignity of the State. Is it too much to compel a self-admitted and declared enemy of society to die for the same reason? Why kill the lambs and let the wolves go free?

In their several opinions nullifying the death penalty statutes of the States, the Supreme Court intimates that in some cases the death penalty might be constitutional. In effect, they say, "You plebeians at the State level are incapable of making this decision." They apparently feel that most state officials are either stupid or dishonest.

Before a State can carry out the death penalty, the following State officials, all sworn to uphold the Constitution and to see that justice is done, must approve:

1. The State Legislature that passes the law.
2. The Grand Jury that indicts the defendant.
3. The District Attorney's Office (not sworn to get death penalties but to see that justice is done).
4. Twelve Petit Jurors.
5. The State Trial Judge.
6. The Judges of the Appellate Tribunal.
7. The Board of Pardons and Paroles, or Clemency Authority.
8. The Governor of the State.

Is it reasonable that one appointed Justice of the Supreme Court (as in 5-to-4 decisions) should repudiate the unanimous judgment and authority of thousands of elected State Officials? To plagiarize Shakespeare, *upon what meat hath these our Caesars fed, that they have grown so great?*

The greatest reason for punishment is deterrence. Normally, people will not do what they are afraid to do; and the one thing of which all men are afraid is death. Death remains the greatest deterrent to aggravated crime.

The public has been harassed by the recent rash of skyjacking. Now we are preparing to spend billions of dollars on so-called sky safety. The death penalty would not stop skyjacking, but it would greatly reduce it. Also, we have the unusual and humiliating experience of spending untold millions for guarding hundreds of candidates for public office from assassinations. The death penalty would not stop this degrading menace but it would greatly reduce it. Economics, morals, even survival, all cry out for the death penalty as we have heretofore known it.

We submit that a failure to execute any of the following (if guilty and sane) is a reflection upon every decent value known to civilization and reduces man to a bestial level.

1. Kidnappers who injure or destroy their victims.
2. Persons like John Gilbert Graham, who in 1955, planted a bomb on a United airplane which killed his mother and 43 other people. (He died in Colorado's gas chamber prior to the gratuitous interference of the Federal Judiciary).
3. Richard Speck, who brutally murdered eight nurses in an orgy of destruction. (Because of the Supreme Court's ruling, his sentences were commuted to Life).
4. Bobby A. Davis, given the death penalty in Los Angeles for killing four Highway Patrolmen. (Voided by the Supreme Court.)
5. Charles Manson and his sadistic crew who killed numerous people simply for the fun of it.
6. Lee Harvey Oswald, who assassinated President John Kennedy.
7. Sirhan-Sirhan, who assassinated Robert Kennedy.
8. James Earl Ray, who assassinated Martin Luther King.
9. All assassins, including those who shoot down policemen because they hate cops.
10. Juan Corona, convicted of butchering 25 people.
11. Those who kill or endanger life by planting bombs in public buildings.

Recently tried in our Court was a defendant who shot three women in three separate one-clerk grocery store robberies within a period of ten days. They were literally mutilated while begging for their lives. This defendant told the jailer that these women were killed to remove witnesses. Without the death penalty robbers have every incentive to kill their victims. This robber's death penalty has been commuted to life because of the Supreme Court decisions.

Recently, Walter Cherry, a known dope addict with a long criminal record who was doing a life term, escaped. Two Dallas Deputy Sheriffs went to arrest him at a motel. He killed one and wounded the other. His death sentence has been commuted because of the Supreme Court decisions.

Recently in Fort Worth an ex-convict with a long criminal record kidnapped two young men and a young woman on a city street. He drove them to a lonely spot in the country, killed both of the young men, raped the young woman and then choked her to death with a broomstick. His death penalty has been commuted to life because of the Supreme Court decisions.

In 1971, Adolfo Guzman and Leonardo Ramos Lopez, two ex-convicts being investigated for burglary in Dallas County, captured four deputy sheriffs, carried them to the Trinity River bottom, all handcuffed, and killed three of them as they begged for their lives. Because of Supreme Court decisions their death penalty convictions were reversed. They will live to kill again.

In 1946, Walter Crowder Young was sentenced to death for a brutal rape. In 1947 his sentence was commuted to life. In 1957 he was paroled. A few years later he kidnapped an eight-year-old boy and his eleven-year-old sister. He took them to an abandoned shack, crushed the boy's head with a hatchet, and left him a permanent and hopeless cripple. He then forced the little sister to commit sodomy on him. How many families must a man destroy before he should be executed?

Our cities have became barbarous jungles. We bow our heads in shame when we contemplate that the city of Washington, our Nation's Capital, is perhaps the most crime-ridden big city in the world. In Washington, all of the courts are federal. (It is significant to note that no one has been executed in the City of Washington since 1957.) In 1972 there were 79 bank robberies in the Washington area alone. In Washington, citizens are afraid to walk the streets alone even in the daytime. Many a young woman has gone to Washington to earn her living only to lose her life or be psychologically destroyed at the hands of a rapist-murderer. The rapist-murderer is probably not caught; if caught, probably not convicted; if convicted, probably given a light sentence instead of the death penalty which the crime demands.

Throughout this nation, thousands upon thousands of small businesses have been forced to close their doors because of repeated robberies and the proprietor's fear of death. Thousands of communities have formed vigilante committees in an effort to defend themselves since they cannot rely on their government for protection. Furthermore, in the last 25 years, the employment of security guards by private business has increased a thousandfold.

In the March 1970 issue of Reader's Digest appears an excellent article by Senator John L. McClellan (a great crime investigator and foremost authority in Congress on the subject), entitled "Weak Link in Our War on the Mafia." He cites numerous cases demonstrating how the federal courts have failed in law enforcement. In 1973 there was far more federal anti-crime money spent in Dallas County than ever before; yet horror-crime increased almost 25%. Federal money flows and horror-crime grows.

While the Federal Courts insist on procedural regularity from others, they are the greatest violators of the same. The Federal Courts should remove the beam from their own eyes before trying to cast the mote from the eyes of the state courts.

We suggest that all the Don Quixotes who are riding their white horses off in all directions in their puny declared wars on crime might well tilt their spears in the direction of the Federal Judiciary.

In 1954 in the case of Terminello v. State, the Supreme Court nulified an Illinois statute under which Terminello had been convicted for inciting a riot. They held that the law was an invasion of the defendant's right of free speech (another 5-to-4 decision). In a dissenting opinion the late Justice Jackson with prophetic ken stated, "Unless the Court is dissuaded in its doctrinaire logic we are in danger of compounding the Bill of Rights into a suicide pact."

The great English critic Macaulay and the great French critic de Tocqueville both predicted America's self-destruction. (We omit the late Mr. Khrushchev's well known pronouncement on the subject). De Tocqueville based his prediction primarily on the political power of American judges. For a judge to become a legislator is repugnant to the fundamentals of Anglo-Saxon jurisprudence; yet much of the revolutionary legislation of the last 25 years has come from the Supreme Court.

The Justices of the Court are not little gods. Yet, the monarchs who claimed divine sanction were not so powerful as they. The power controversy now going on between the President and the Congress is a tempest in a teapot when compared to the cyclonic power possessed by the Supreme Court.

Whether good or bad, wise or foolish, right or wrong, no federal judge should have absolute power. It's not a question of whose ox is gored; it's a question of goring the ox to death whose ever ox he is. Such power is repugnant to every principle of democracy and freedom.

Whether it's the Highest Court blocking Mr. Roosevelt's reforms or the Warren Court destroying the States, the Supreme Court's power must be limited.

THE NAACP

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. RANGEL. Mr. Speaker, on this, the occasion of the 65th annual convention of the National Association for the Advancement of Colored People I extend greetings on my own behalf and from the Congressional Black Caucus and extend our sincere hope that this will be the most successful convention ever.

Since the first national meeting in 1909, the NAACP has been an acknowledged leader in the struggle to improve conditions for blacks throughout the Nation. At that point in our history, we were politically powerless; the widespread discrimination in education, housing and public accommodations amply demonstrated that blacks were still second class citizens.

From the beginning, the association was strongly committed to gaining equality through legal means for all persons within the American political system. The association worked vigorously during these formative years to assure equal treatment before the law, and was an outspoken leader in the fight for antilynching legislation. As early as 1915 the association successfully attacked grandfather clause which denied equal access to society's institutions to blacks before the Supreme Court, and was able to have the same body rule against municipal ordinances requiring residential segregation.

The Crisis, edited for many years by W. E. B. Dubois, eloquently and forcefully publicized the organization's position while the legal defense and education fund provided legal guidance and financial help for other agencies that were less financially stable.

By the second half of the 20th century, the NAACP had grown in stature and recognition to become the most influential voice for black rights. Due in large part to the inspiring leadership and legal aid of the NAACP, Brown against Board of Education decision was successful in overruling the "separate but equal" doctrine established in Plessy against Ferguson and opened the door for the elimination of segregation in public education.

The role of the NAACP in our legislative process has grown enormously in the past decade. The association's Washington lobbyist, Clarence Mitchell, campaigned vigorously for programs designed to protect and, when necessary, extend the rights of black citizens—the Civil Rights Act of 1964 and Voting rights Act of 1965 would not have been possible without his untiring effort. And in recent years, despite the Nixon administration's efforts to slow down the pace of desegregation, the association has bravely continued to press for an end to inequality in employment and education.

Yet although attempts to redress inequality by law increased tremendously in the fifties and sixties, some of the laws have not been effectively enforced or produced satisfactory changes in the system. We have learned that the passage of civil rights legislation and dramatic court victories is frequently not enough—the busing issue, for example, can only be resolved by a commitment to full integration not only in the courts, but by Americans at all levels.

The central challenge before the association is not any particular issue, but our willingness to persevere—to pursue a consistent framework of policies over a sustained period of time. That is the most demanding of the commitments we must make. If we falter or tire, we will face great perils. But if as a group we persevere, 50 years hence you will look back at the seventies as a time when the association helped put in place a secure structure of equality and opportunity for all Americans. This is what we have been building for. This is a task that I hope you will continue to pursue.

Nevertheless, I remain optimistic that you will rise to these challenges and find the answers needed to improve the lives of our people. The NAACP's outstanding efforts to combat racism and assure equality of opportunity for all Americans is deeply appreciated by all of us.

I enclose, for the information of my colleagues a letter of greeting sent by the Congressional Black Caucus to Roy Wilkins, the executive director of the NAACP in New Orleans at the 65h annual convention.

CONGRESSIONAL BLACK CAUCUS, INC.,
Washington, D.C., June 28, 1974.

Mr. ROY WILKINS,
Executive Director, National Association for the Advancement of Colored People, Rivergate Exposition Center, New Orleans, La.

DEAR MR. WILKINS: On behalf of the Congressional Black Caucus, I want to extend our sincere congratulations for being "65 and still on the drive." The Caucus is certain that the 65th Annual Convention of the NAACP will be more successful than ever. The agenda for the convention indicates to us that the NAACP is more vital than ever. Problems like education, employment, and housing are the key issues Caucus members are dealing with everyday.

It comes as no surprise to us that the NAACP is still going strong after 65 years. The strong leadership of men like DuBois, Spingarn, White, Wilkins, Evers and others has given the NAACP definite and realistic goals so often lacking in many organizations. This leadership combined with the support of thousands of Americans, both black and white, has accomplished deeds too numerous to mention in a brief letter. Suffice it to say that in the nation's capital the past work of the NAACP is constantly before us in terms of proposed legislation and the carrying out of past legislation.

As you enter your sixty-sixth year, the members of the Congressional Black Caucus are anxious to join with you in building on your past accomplishments. We are pleased that the NAACP is not content to rest on past deeds. This is a sign that you will be around for many more years.

Sincerely,

CHARLES B. RANGEL, *Chairman.*

REPORT ON LORTON

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. PARRIS. Mr. Speaker, the General Accounting Office has issued a report entitled "Better Management Needed for Tighter Security at Lorton Security Institutions." The report was made after an exhaustive study of more than a year and its very title sums up a serious problem facing not only the residents of Virginia's Eighth Congressional District, where the Lorton Penitentiary is located, but the citizens of all of the Washington metropolitan area.

Lorton is the only penal facility in the Nation that is located outside its governing jurisdiction. Despite repeated and continued claims by the District of Columbia Department of Corrections as to the excellence of the administration of the institution, it is becoming more and more a concern to my constituents with each passing day.

I believe a brief look at the GAO report will indicate why. Escapes are commonplace, inmate supervision is almost nonexistent, and the use of narcotics by inmates both inside and outside the confines of the facility is alarmingly frequent.

The situation at the institution, according to information I have received, is growing worse daily. The inept and inadequate administration of the facility is threatening the safety and security of residents of the Eighth District. Yet, the District of Columbia government cannot or will not correct the problem.

Faced with this inaction, I have tried to use the means available to me to protect the interest of the citizens I have the privilege of representing. I have introduced before the Congress legislation to transfer control of the Lorton facility to the Federal Bureau of Prisons.

I believe the report from the GAO clearly demonstrates the need for this type of legislation and I would at this time like to bring the report to your attention and insert a brief summary of its findings into the RECORD:

[From the Comptroller General's Report to the Honorable STANFORD E. PARRIS, House of Representatives]

BETTER MANAGEMENT NEEDED FOR TIGHTER SECURITY AT LORTON CORRECTIONAL INSTITUTIONS, DISTRICT OF COLUMBIA GOVERNMENT

WHY THE REVIEW WAS MADE

Congressman Stanford E. Parris asked GAO to look at the problem of inmates escaping from the District of Columbia's five correctional institutions at Lorton, Virginia.

FINDINGS AND CONCLUSIONS

The population at Lorton was 2,040 at December 31, 1973.

Over 3 years ended June 30, 1973, 380 inmates escaped; 64 more escaped during the 6-months ended December 31, 1973.

About 30 percent of these escaped from the confines of the Lorton institutions; about 70 percent escaped while outside the institutions on "authorized" absences.

Some problems at Lorton GAO noted were:

Rehabilitation leaves of absence were granted to persons ineligible for such leave or, if eligible, were granted for excessive periods.

There was no system for finding out what inmates were doing while on leave or whether the leaves were assisting in rehabilitation.

There were no uniform procedures regarding searches for contraband, tests for use of narcotics, and precautions against security violations by visitors to prisoners.

More information on each problem follows.

Problems in authorizing absences

Leave practices followed at Lorton seriously contributed to problems of escapes.

Legislation under which absences were approved has been construed by the District's legal office to allow rehabilitative leave to assist the prisoner in the transition from institutional life to freedom. Therefore, time remaining to serve should have been considered in approving the absences.

Some inmates with years left to serve before their probable release dates—some as many as 15 to 20 years—were granted leaves.

Some inmates were given continuous daily leaves routinely over several months although such absences were to be restricted to brief periods and were to be beyond 30 days only in highly unusual circumstances.

Hundreds of inmates were released each week into the community to attend insitutions of higher learning, work at paid employment, and participate in community activities, etc. However, the District had no system for finding out what inmates were doing while away from the institutions, nor did it know whether leaves were helping to rehabilitate inmates. Some inmates were arrested for committing crimes during authorized absences.

Internal security probems

Strengthening internal security policies and procedures is needed to help prevent inmate assaults and to help restrict contraband—such as weapons and drugs—from getting to inmates.

Until pressure was brought by the local correctional officers' union, few thorough searches—shakedowns—of institutional facilities were made. Inmate lockers were not regularly inspected. When they were, contraband was found.

Although frequency of shakedowns has increased, a serious problem of contraband continues. Much contradband found in shakedowns has been or could be made into lethal weapons.

Although Department of Corrections policy required testing to determine whether inmates were using narcotics, such testing was not being done at two institutions although hundreds of inmates from these institutions were making weekly trips into the community.

Further, when test results indicated the use of narcotics, little or no disciplinary action was taken.

Uniform procedures at all institutions were needed concerning identifying visitors; inspecting handbags and purses, and searching inmates for contraband after meeting visitors.

Because visitors were not adequately identified, some inmates wearing civilian clothes escaped by simply walking out with visitors.

Improvements in some physical facilities would also tighten security.

WHAT WENT WRONG?

GAO wanted to know what Department of Corrections officials were doing to overcome problems of escapes and contraband.

The major obstacle was that—except when there was overt demonstration of problems, such as escapes or trouble within the institutions—these types of problems seldom reached management's attention.

Many escapes were not being investigated to determine causes for security breakdowns. Thus, corrective measures could not be taken to prevent the same thing from happening again.

When shakedowns of inmate dormitories and institutional grounds were made, large quantities of contraband was consistently uncovered, but the Department didn't take action to cut off the source.

Management improvements over programs releasing inmates into the community and tigher security at Lorton are obviously needed. If the District had had uniform policies at Lorton and had good feedback—and acted on it—many inmate security problems could have been avoided.

RECOMMENDATIONS TO THE COMMISSIONER

Some GAO recommendations are:

Uniform and definitive guidelines for the institutions should be established for selecting inmates for rehabilitative leaves, giving due consideration to time remaining to serve before probable release. The policy of granting recurring leaves almost continuously should be evaluated.

Each release program should be assessed regularly to insure that it is serving a bona fide rehabilitative purpose. Procedures should be established to monitor the whereabouts and performance of inmates participating in outside activities.

To tighten perimeter security another fence should be constructed around medium security. The Department should also issue specific policies and procedures concerning the wearing of civilian clothes by inmates and for identifying visitors.

To tighten security inside the correctional institutions, the Department should (1) determine the source of contraband which continually shows up in searches and take measures to prevent inmates from obtaining it, (2) assign officers full time to each dormitory, (3) improve the narcotics testing program, and (4) issue uniform policies and procedures for inspecting visitors' handbags and purses and searching inmates after visitors leave.

To help prevent escapes, all escapes should be investigated and reports recommending corrective action sent to top management.

The Office of Planning and Management—responsible for improving organization and operations of District agencies—should maintain a close working relationship with the Department to insure that effective corrective action is taken on management problems.

GAO also recommends that the District's internal auditors periodically look into Department operations.

FAIRNESS TO VETERANS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. CONTE. Mr. Speaker, our Vietnam veterans occupy a very special place in my heart. I want these young men and women to have the same opportunities that I had. After my service during World War II, I was able to attend college and law school because of benefits provided by the GI bill.

This past year, I served as chairman of the Special Veterans' Opportunity Committee of the National League of Cities and the U.S. Conference of Mayors. I traveled to major cities in this country and heard from the grassroots—from scores of young veterans who have legitimate complaints concerning their benefits under the GI bill.

During these hearings, I got a detailed picture of how veterans are being denied the same share of benefits that I received.

Mr. Speaker, the Washington Post featured a thoughtful editorial on "Fairness to Veterans" that I endorse and include for the RECORD:

[From the Washington Post, June 28, 1974]

FAIRNESS TO VETERANS

A large number of Americans who have a strong sense of patriotism and gratitude are watching Congress to see what kinds of benefits will be included in the new education legislation for veterans. Watching most closely are large numbers of the 6.7 million citizens who served in Vietnam, veterans who returned home only to find themselves under attack from a domestic enemy—the one of indifference to whether the vets received the educational benefits that they deserved.

Last week, the Senate voted (91 to 0) generous and fair legislation that would do much to tell the veterans that their sacrifices were appreciated. Specifically, the $1.9 billion package provides an 18 per cent increase in benefits, loans of up to $2,000 a year and payments up to $720 a year in tuition. In unanimously supporting the 18 per cent increase, the Senate brushed aside as ridiculous the 8 per cent increase proposed by President Nixon; even now, despite its wordy praise for veterans, the administration opposes the generosity of the Senate bill.

Crucial decisions are expected to be made soon by a Senate-House conference committee, although a conference has not yet been called formally. The 13 per cent increase in benefits in the $1.3-billion House bill is clearly a rebuke to the veterans; given inflation and the soaring costs of education, even the Senate figure of 18 per cent is playing it close. An equally important issue is what form this aid should take. The House bill does not include tuition grants largely because Rep. Olin Teague (D-Tex.), former chairman of the House Veterans' Affairs Committee, has long opposed such aid. Mr. Teague once headed a subcommittee that examined abuses of the old GI bill when some opportunistic colleges in the late 1940s and early 1950s raised their fees to rake in federal money. But the time has come for the Congress to listen to the pleas of groups such as the American Legion, which strongly supports tuition payments. National Commander Robert E. L. Eaton refers to the Teague position in the current American Legion magazine and says "it is ironical to think that it was the sins of the colleges and universities a generation ago which have been invoked to deny an education to the Vietnam veterans who need help the most." The Senate bill gives the Veterans Administration powers to combat tuition abuses.

The importance of education benefits for veterans is not only that large numbers of young citizens will get the opportunity for schooling but also that the country has the chance to make an investment in its most valuable resource—its young citizens. We have already seen the amazing economic and social yield of the GI bill following World War II; the current legislation as passed by the Senate is an extension of the philosophy that created the original bill 30 years. To hold back now is to walk away from both the wisdom that prevailed then and the needs of our veterans now.

GERALD STROHM SELECTED FOR GRAND EXALTED RULER

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. SISK. Mr. Speaker, it is a particular pleasure for me to take this opportunity to bring to the attention of my colleagues in the Congress the selection of my friend and constituent, Gerald Strohm of Fresno, Calif., as Grand Exalted Ruler of the Benevolent and Protective Order of Elks. Jerry has long been a vibrant force in the activities of our home Lodge, No. 439 of Fresno, Calif., and has served Elkdom in a variety of

other capacities as well. Moreover, Jerry has been equally generous in devoting his time and energies to numerous community organizations. His selection as Grand Exalted Ruler is deserving recognition indeed of an outstanding Elk and fine human being.

I want to extend my personal congratulations and best wishes for success to Gerald Strohm as he assumes this high office and feel it appropriate as well to herewith include a brief biography which recently appeared in the Elks magazine:

FRESNO, CALIF., LODGE NO. 439 PRESENTS GERALD STROHM FOR GRAND EXALTED RULER

Fresno, California, Lodge No. 439 of the Benevolent and Protective Order of Elks in its regular session on December 5, 1973, unanimously resolved to present to the Grand Lodge the name of its most distinguished member, Gerald Strohm, for the Office of Grand Exalted Ruler for the year 1974-1975.

Brother Strohm was born in Kingman, Arizona, on October 19, 1910. He attended schools in Arizona and California and graduated from the University of California at Los Angeles in 1932 with a degree in Economics.

Brother Strohm entered the United States Civil Service in the Treasury Department where he served in various capacities from 1934 to 1947, except for years in military services. From 1942 to 1946, Brother Jerry was in the Army of the United States having been called to active duty as a Reserve Officer. He served in the Artillery in the European Theatre and upon his discharge he transferred to the Finance Corps and was retired as Major. He is a member of the Reserve Officers Association, the Retired Officers Association and the American Legion.

In 1947, he resigned from Civil Service and entered practice as a Certified Public Accountant. He is now a member of the firm of Strohm, Hills, & Renaut. He is a member of the American Institute of Certified Public Accountants and a member of the California Society of Certified Public Accountants, being a Past President of the Fresno Chapter.

Brother Strohm became a member of Fresno Elks Lodge in 1947 and was Exalted Ruler in 1954-55. He was District Deputy Grand Exalted Ruler in 1960. He served the California-Hawaii State Association as a member of its Major Project for six years and became its President. He was State President of the California-Hawaii Elks Association in 1966. He is presently a member of the State Advisory Committee. In Grand Lodge, Brother Strohm served on the Grand Lodge Auditing and Accounting committee for three years, served as Grand Esteemed Leading Knight in 1972-73 and was elected to a four year term as Grand Trustee in Chicago in July, 1973. In recognition of his many outstanding services to Elkdom, he was elected to Honorary Life Membership in Fresno Elks Lodge.

In his community Brother Strohm has served in many capacities, being a Past Fund Campaign Chairman for the United Givers of the Fresno County Public Appeals Board. He is a member of the Fresno City and County Chamber of Commerce and a member and Director of the Fresno County Taxpayers Association. He has been active in the Exchange Club and was President of the Fresno Exchange Club and a District Governor of Exchange.

Brother Strohm has been active in the First Congregational Church and has served it in many capacities.

In 1935, Brother Strohm married the former Kathryn Gehring, whom he first met while he was at UCLA and she was a student at Belmont High School in Los Angeles, from which school he had graduated. They have no children. Kay has been Jerry's active supporter through the years and will be a most gracious First Lady.

It is therefore with pride and confidence in him that Fresno Elks Lodge respectfully presents the name of Gerald Strohm to serve in the high office of Grand Exalted Ruler with assurance that he will bring to that position the experience and leadership which the office of Grand Exalted Ruler demands.

DELBERT A. MUNDT,
Exalted Ruler.
K. H. MCISAAC,
Secretary.

DRUG PATROL

HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. MURPHY of Illinois. Mr. Speaker, during the June 25 debate on the Treasury, Postal Service, and general Government appropriation bill, my colleague from New York (Mr. ADDABBO) offered an amendment to clarify agency responsibility for suppressing drug traffic at our borders. The amendment which passed by a vote of 283 to 100 precluded the transfer of Customs Bureau funds for border control to any other agency.

Bob Wiedrich, a respected columnist for the Chicago Tribune, recently returned from investigating first-hand conditions at our Mexican border. He began a series of articles in the Tribune, Sunday, June 23, which could not be more timely in terms of congressional interest. Mr. Wiedrich has once again managed to strike the balance between a fascinating tale of intrigue and a sensible as well as sensitive presentation of the facts.

I commend Mr. Wiedrich for his ability to sniff out a story which not only interests his readers but educates them. I am including several of the articles in the RECORD for my colleagues' benefit:

BUDGET FIGHT THREATENS RIO GRANDE DRUG PATROL

WASHINGTON, June 22.—A band of dedicated men fighting the narcotics traffic across the Mexican border are caught in a bureaucratic cross fire as hot as the blazing smugglers' guns they face in the arid arroyos of the Southwest.

Just over 350 strong, the United States Customs Patrol has been ordered out of business Dec. 31 by the White House after intercepting drugs from Mexico with a street sale value well over $77 million in just nine months of existence.

The Customs Patrol suspects a Machiavellian plot by the Justice Department to corral all federal-drug fighting operations. The White House says that isn't so.

However, it is clear the Customs officers have become pawns in a long-brewing confrontation over federal budget-making powers between the Congress and the White House-based Office of Management and Budget [OMB].

In fact, the dispute has gotten so hot that several congressmen plan to singe OMB's britches when its appropriations bill comes before the full House Tuesday in a thinly veiled retaliation for refusing to reverse its decision on the Customs Patrol.

U.S. Rep. Joseph P. Addabbo of New York, ranking Democrat on the House appropriations subcommittee that handles the Treasury Department and its Customs Service, told us he intends to offer an amendment to "substantially" cut the OMB appropriation down to size.

"The decision to wipe out the Customs Patrol points up the arrogance of OMB and the managerial control it is trying to have over cabinet officers and the actual conduct of government," Rep. Addabbo declared.

"These men are undermanned and underequipped. Yet, they have managed to do a fabulous job in stemming the flow of drugs across the border. These are dedicated, trained men risking their lives every hour of the day. And now they're being told they're being knocked out of the box."

Organized last Oct. 1 to cover the desolate stretches between ports of entry along the 1,500 mile border, the Customs Patrol has been instructed to turn over its duties to the Immigration and Naturalization Service Border Patrol [INS], an arm of the Justice Department traditionally charged with intercepting illegal aliens.

Under the OMB decision last month the immigration Service Border Patrol will hunt both wetbacks and smugglers between ports of entry. The Customs Service will be relegated to suppressing smuggling only at border crossings.

Frederic V. Malek, OMB deputy director, said the order was based on a management decision to end duplication of patrols, an act he claims is clearly within the domain of the executive branch of government.

This is a key statement in the conflict between OMB and Capitol Hill, where Customs Patrol supporters contend OMB has not only intruded on congressional prerogatives over government purse strings, but, in this instance, violated an agreement with Congress covering the duties of the Customs Service.

"Our interest is in doing the best possible job in intercepting both illegal aliens and smuggled goods," Malek told us in an interview at the White House Executive Office Building here.

"Our [OMB] whole purpose in being is to get the most for the taxpayers' dollar. We have no ax to grind. We can't prove conclusively we're right. But we believe our investigation is well founded and our decision is correct."

And therein lies another element in this growing confrontation between two branches of government with the Customs Patrol caught right in the middle.

Malek and his aides maintain their decision was based on a thorough on-the-scene investigation by OMB over a period of two months, during which the operations of both patrols were observed and local authorities and residents questioned for their views.

Customs Patrol personnel with whom we talked along a 500-mile stretch of South Texas border—from Laredo to Brownsville—disputed that claim, alleging the two OMB investigators who visited them devoted no more than 12 actual working hours during a brief two-day visit to their sector.

They said it would have been impossible for the OMB men to grasp the intricacies of their duties in the rugged, remote terrain of the lower Rio Grande Valley in that short period of time. The most generous term they used to characterize the inquiry was cursory.

The nearly 185-year-old Customs Service of the Treasury Department was the only patrol agency along the Mexican border in the 1800s. But soon after the turn of the century, when immigration laws got tougher, the INS Border Patrol was instituted to hunt down illegal aliens.

After World War II, Customs ended its patrol in a wave of postwar budget cutting at a time when the United States had no narcotics problem and little smuggling from Mexico.

But in June 1973, when President Nixon created the Drug Enforcement Administration from the ranks of federal narcotics agents and the 500 Customs agents assigned to drug interception work on the borders, Customs decided to revive an overt uniformed force of officers to patrol the wide-open country between border crossings to stop smuggling, including narcotics.

This is the force which OMB ordered eliminated as a costly duplication of duties which it contends can be performed and, are already being partly performed, by the more than 1,400 members of the INS Border Patrol.

In addition to antismuggling chores at ports of entry, Customs would retain air-interdiction functions along the Mexican border to catch those smugglers who prefer the airborne route.

"We think that by using the Border Patrol people aggressively, we can get more for the tax dollar spent and better coordination of our drug-fighting effort at the same time," Malek said.

The Customs men don't see it that way at all. Neither do their congressional supporters.

Customs Patrol officers interviewed along the mesquite-cluttered banks of the Rio Grande pointed to their successes in seizing incredible lots of marijuana since going into action last Oct. 1:

Thru last March 30, their bag totaled more than 78 tons of the weed [157,228 pounds with a street sale value of $43,552,000]; 7.25 pounds of cocaine worth an estimated $1,724,600; and 63 pounds of heroin valued at $31,783,000 on the streets of American cities. They also effected 716 arrests, seized 1,297 vehicles, including at least five aircraft, and collared 469 illegal aliens incidental to their other duties.

"Roy Ash is picking a fight with Congress and he has selected the wrong battleground," declared U.S. Rep. Morgan Murphy Jr. [D., Ill.], another Customs Patrol supporter. "Immigration has its hands full just keeping back illegal aliens. There are at least 250,000 of them in Chicago alone.

"If Ash wants to make cuts, there are many other places they can be effected. If we can give the Arabs $100 million in aid, we certainly can afford to maintain the Customs Patrol at a time when drugs are again flooding the United States."

DEATH AND DOPE ALONG THE BORDER

(By Bob Wiedrich)

LAREDO, TEX.—The night was hot; the heavens bountiful with galaxies of stars that cast faint light on the desert floor.

In a clump of bushes not far from the Arizona border with Mexico, a rattlesnake coiled and struck at an unseen target, the cacophony of its venomous attack breaking the serenity of darkness.

Except for the rattler, the silence was almost oppressive along the rutted path leading from the Mexican border near Nogales, Ariz., where two United States Customs Patrol officers kept a lonely watch.

For the men—Louis Dickson, 32, and Charles Bokinskie, 26—this night of April 24 was, like many others, filled with endless hours of patroling remote roads beaten into the dust by narcotics smugglers headed north into the United States after accepting drug deliveries at the border.

Unlike past quiet nights, this one would end in a holocaust of gunfire. Within minutes they would detect and follow a vehicle running without headlights. And they would make that fatal error every Customs Patrol officer prays he will never commit.

Dickson and Bokinskie allowed their quarry to get too far ahead of them. Presumably, they played their surveillance loose so as not to arouse his suspicion in the wide open desert country. For that mistake, they paid with their lives.

There were no survivors to what happened next. But officials were able to reconstruct what apparently occurred:

Michael A. Williams, 43, already free on bail from a federal marijuana smuggling charge in Los Angeles, eluded the officers long enough to hide behind an obstruction.

When the Customs Patrol car came into sight, Williams bushwhacked them from a distance of 200 yards. One of the officers, tho, managed to return the fire before he died, killing Williams with a shotgun blast in the chest.

Then silence returned to the desert, broken only by the footpads of the small mammals that abound there and the restless idling of the patrol car motor until it ran out of gas.

At first light, an 18-year-old girl and her 14-year-old sister, driving to a school bus stop from a nearby ranch, discovered the bloody carnage that had ended Dickson's and Bokinskie's last patrol.

The heroic officers were lying dead by their jeep. Williams' body was beside his vehicle, in which 250 pounds of Mexican marijuana—good stuff worth $100 to $150 a pound on the streets of Chicago or New York City, Los Angeles or Denver—was hidden.

These were two of the casualties sustained by the 350-man U.S. Customs Patrol since it took the field last Oct. 1, covering the wild and barren terrain between ports of entry along the 1,500-mile American border with Mexico through which a flood of drugs passes annually.

Beyond the tensions of the job, the work is physically debilitating, rolling the dusty miles in heat so intense it drains a man's juices, parches his body, and pounds his brain into numbness with countless searing waves of 100-degree temperatures.

The rugged, unpaved roads punch at the kidneys. Sweat literally pours into a man's boots. And his face and hands become scarred by the slashing blades of dried mesquite as he fights his way thru underbrush on foot to locate hidden caches of drugs awaiting pickup near the Rio Grande River bank after dark.

In the pre-dawn darkness of June 5, four Customs Patrol officers led by Supervisor Barry Shields, a former Sky Marshal stationed at O'Hare Field in Chicago, seized 12,200 pounds of marijuana on the river bank near Hidalgo, Tex., one of the largest loads in U.S. Customs history.

In this case, a total of 168 burlap bags containing marijuana compressed into one kilo [2.2 pound] bricks were found stashed under brush and rotting onions and in a 10-wheel produce stake truck. One man searched another truck nearby which had a loaded .38 caliber automatic hidden in the glove compartment.

The 12,000 pounds of weed had been purchased in Mexico, for delivery to the American side of the river, for $220,000. Cut down into small quantities, the drug would have been worth over $3 million in the States.

More than anything, the pistol-packing drug traffickers served to highlight the increasing penchant for gun play since the Customs Patrol went into action. As things have been made tougher for them, the smugglers have resorted to violence.

For the stakes are fantastic in this deadly war—the millions upon millions of dollars represented by the drug culture of the United States. We'll tell you more about dope smuggling on the border tomorrow.

CUSTOMS PATROL WINS IN CAPITOL

WASHINGTON.—The White House has suffered a setback in efforts to strip the United States Customs Patrol of its dope-fighting duties along the Mexican border.

By a vote of 283 to 100, House members refused to permit the administration to turn over the Customs Service function along desolate stretches of the 1,500-mile border to the Justice Department's Immigration and Naturalization Service [INS] Border Patrol.

The action marked a victory for Customs Service supporters on Capitol Hill, who maintain INS has its hands full just catching illegal aliens from Mexico and should not also be saddled with anti-drug-smuggling responsibilities.

In nine months of operation, the fledging, 350-man Customs Patrol has intercepted marijuana, hashish, cocaine, and heroin valued at over $77 million on the streets of American cities.

Rejection of the White House plan was in the form of an amendment to the executive branch appropriations bill, barring the use of Treasury Department or Office of Management and Budget [OMB] funds to effect the redeployment of the Customs Patrol to ports of entry.

Rep. Sidney Yates [D., Ill.], who proposed the amendment, charged plans to restrict Customs Patrol operations violated a White House agreement with Congress to retain the Customs role in interdicting drug smuggling along the nation's borders.

The agreement was reached a year ago when President Nixon created the Drug Enforcement Administration to coordinate all American drug-fighting efforts with a cadre of federal narcotics agents and 500 Customs officers assigned to the dope traffic.

On June 5, however, OMB Director Roy Ash instructed Treasury Secretary William Simon to restrict the Customs Patrol to ports of entry, claiming the drug interception could be performed by the INS Border Patrol.

During the debate, Rep. Howard Robison, [R., N.Y.] defended the OMB position that the Customs Patrol constitutes needless duplication.

He also argued handcuffing the administration funds would render meaningless a House Government Operations Committee investigation into the dispute scheduled to be aired in public hearings two weeks hence. Plans for the Customs redeployment, he said, had been deferred until then.

But the amendment passed by a handsome majority, highlighting the deeper schism between the White House and Capitol Hill over what some consider increasing encroachment by OMB on the congressional appropriations role.

The bill now goes to the Senate, where in two weeks Sen. Hubert Humphrey (D., Minn.) is expected to lead the battle for preserving the Customs Patrol function in drug smuggling.

Rep. Robinson's report that plans to phase out Customs between border crossings by Jan. 1 had been deferred marked a sharp change in OMB posture. Earlier, Deputy OMB Director Frederic Malek had told us here the planning would continue while the House Government Operations Committee inquiry was underway.

He did indicate, tho, OMB would take heed if committee chairman Rep. Chester Holifield (D., Cal.) produced information not uncovered by an OMB survey of the Customs Patrol on which the White House decision was based.

It is this survey which has been attacked as superficial by Customs Patrol personnel in their efforts to retain a narcotics fighting role.

To make their position clear, Customs Patrol supporters first sought to lop $6 million from the OMB's $22 million appropriation request. That effort failed. But the House did cut OMB funds back to their present level, thereby slicing off more than $2 million from the White House budget-making arm.

Then it voted the amendment barring the use of any executive branch funds to plan or carry out the Customs Patrol defrocking. That included the Treasury Department appropriation under which the Customs Service is bankrolled.

"President Nixon is too busy with other matters to worry about what is going on down there on the Mexican border," declared Rep. Morgan Murphy Jr. (D., Ill.), whose worldwide investigations in the past three years have dramatized the narcotics problem.

"But he is being ill served by men who, however well intentioned, are too inexperienced in this field. The Customs Patrol has

done a magnificent job. Instead of putting them out of business, they should be encouraged.

"Sure, there are professional jealousies between some of these agencies. But these can and should be resolved. Each has a vital function. Each is serving the American people well. The main thing is to stop that dope before it gets to the streets of our cities."

PRAYER FOR LEADERSHIP

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. BROWN of Ohio. Mr. Speaker, on Monday, May 20, my home State of Ohio had its first statewide prayer breakfast of civic, business, labor, and professional leaders. The event was held at the Sheraton Columbus, and our distinguished colleague JOHN DELLENBACK, of Oregon, a noted lay leader of the Presbyterian Church, was the guest speaker.

I had hoped to be able to insert here the remarks of the gentleman from Oregon who spoke in a moving way about his own religious feelings and views, in particular his thoughts about submitting ourselves humbly to the power of an all-wise God—thoughts which grew out of recent experiences he and his family lived through at the time of the near-fatal illness of his daughter. Unfortunately my articulate friend delivered his remarks extemporaneously, his speech was not recorded, and he either has been too modest or too busy to write his thoughts down as a summary of his sermon for me to insert here.

While I regret the loss of the full message of my friend, I was successful in obtaining a copy of the prayer which was delivered at that prayer breakfast by another personal friend, Charles S. Mechem, Jr., chairman of the board of the Taft Broadcasting Co. Mr. Mechem's unusual approach to the featured prayer at this breakfast was given a very positive response and I am pleased to have it to share here with my colleagues.

I also include a copy of the program for the breakfast, which was attended by many distinguished Ohioans as a public testimony to their collective and individual faiths. Music for the program was provided by the outstanding Wittenberg University choir, of Springfield, Ohio:

PROGRAM

Invocation, Mr. Robert L. Pegues, Jr., Superintendent, Youngstown Public Schools.

Breakfast.

Welcome, Mr. Francis A. Coy, Chairman of the Board The May Company.

Old Testament Reading, Dr. Warren L. Bennis, President, University of Cincinnati.

Prayer for Leadership, Mr. Charles S. Mechem, Jr., Chairman of the Board Taft Broadcasting.

New Testament Reading, Mrs. Huber J. Snyder, President, Church Women of Ohio.

Musical Selection, Wittenberg Choir, Director, John W. Williams.

Remarks, Honorable John J. Gilligan, Governor, State of Ohio.

Address, Honorable John Dellenback.

Benediction, Mr. Robert H. Meyer, President, Reynolds and Reynolds.

God Bless America, Led by Wittenberg University Choir.

PRAYER FOR LEADERSHIP

(Offered By Charles S. Mechem, Jr.)

I hope you will indulge me for a moment before we pray. I want to say just a word about public prayer at eight-thirty on Monday morning. I frankly suspect that the active life—or the retention life, if you will—of the average public prayer is—at the absolute maximum—limited by your arrival at your office later today and your confrontation of the typical Monday morning mess. I asked myself why—and I think the answer rests in the view that most of us have about prayer. I think that we look at prayer in one of two ways—either we have total faith that God will listen and grant our request—in which case it is unnecessary to think about the prayer very long—or we have concluded that there really isn't much hope that He will pay any attention whatever to us anyway—in which case it is a waste of time to think about it.

I suspect, however, that neither approach is really sound. Let me suggest what to me is a more rational view. Prayers are not always—in the crude, factual sense of the word—'granted'. This is not because prayer is a weaker kind of causality, but because it is a stronger kind. When it 'works' at all it works unlimited by space and time. That is why God has retained a discretionary power of granting or refusing it; except on *that* condition prayer would destroy us. It is not unreasonable for a headmaster to say, "Such and such things you may do according to the fixed rules of this school. But such and such other things are too dangerous to be left to general rules. If you want to do them you must come and make a request and talk over the whole matter with me in my study. And then—we'll see."

So—let's go into God's study for a few moments this morning and talk to Him about Leadership.

God, I've been asked to speak to you this morning on behalf of this group about Leadership. Now we know that somebody is talking to you about this every day—probably hundreds of thousands of times every day. We know that you are constantly being asked to lend divine guidance to the leadership of heads of state legislative bodies, kings, heads of great business complexes, and so forth. And that's fine—we hope you'll do it. But we want to talk to you a minute this morning in a slightly different vein. We looked up the definition of "lead" in the dictionary and it said it meant "to take or conduct on the way; to go before or with somebody to show the way; to guide somebody in a certain direction." Now, it strikes us that that makes almost everyone of us a leader of sorts. We have come to the conclusion, God, and we hope you will agree, that each of us who has any control or influence on the lives of another is a leader—at least with respect to that other person. We are overwhelmed in this day with the sheer size and complexity of life—we are prone to despair and alienation—more ready to follow than to lead—more willing to turn off than to turn on. What we'd like to ask of you this morning is to help us gain a sense that we are indeed—each one of us—leaders. That we affect in a very profound way the life of someone else—and that, especially in these days, we must all dedicate ourselves to exercising leadership in our lives in a manner that will preserve and protect the way of life that allows us to control our own destiny and influence the destiny of others. Of course, we want you to guide and inspire our great leaders—but our point is that we want you to know that we believe we are *all* leaders and *we* need your help too. As a matter of fact, if we don't have your help, we are afraid our leaders won't be able to guide us.

So, God, please help us to recognize our role and our responsibility. Help us to be sensitive to the extent to which the way in which we live our lives affects and molds the lives of others. Give us wisdom, understanding, patience, courage, and perhaps most of all, compassion. Give to us the strength to be leaders so that, together, we may achieve—for ourselves and those that we lead—a total and a meaningful existence.

Thank you for allowing us to come into your study for a moment this morning. We'll be needing to come back soon.

Amen.

THE BUFFALO URBAN LEAGUE'S "OPERATION SPORTS RESCUE/SAVE THE CHILDREN"

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. KEMP. Mr. Speaker, I wish to commend to the attention of my colleagues a tremendously successful and forward-looking program under the aegis of the Buffalo Urban League, Inc.

The project, "Operation Sports Rescue/Save the Children" is designed to develop organized recreational activities for young people in the Greater Buffalo area, with the assistance of professional athletes. It is also designed to combat juvenile delinquency and drug abuse through concrete social, educational, and recreational programs.

The Buffalo Urban League's initiatives, under the guidance of its executive director, Mr. Leroy R. Coles, Jr., exemplify what can happen when capable, dedicated people direct their talents toward helping people in need.

Each of us in this body have a responsibility to encourage those in our communities, individuals, businesses, and foundations, to contribute to and cooperate with peopie like the Buffalo Urban League who are actively carrying out programs so vital to the future of our communities and our Nation. A synopsis of the Buffalo Urban League's efforts follows:

OPERATION SPORTS RESCUE/SAVE THE CHILDREN OF THE BUFFALO URBAN LEAGUE, INC.

1. PROJECT PURPOSES

Since youth and young adults are generally attracted to athletics, the primary intent of the project shall be to create an athletically involved mechanism which will provide its participants an opportunity to engage in rewarding and enjoyable use of time. Utilizing at the same time the assistance of professional athletes as image builders for the youth, the project shall focus on combating drug abuse and juvenile delinquency. The same vehicle will also endeavor to provide educational opportunities and generally aid in motivating and directing its enrollees into the educational classes. Thus demonstrating to youth and young adults that there are other avenues to success and that athletics is

but one means to a meaningful end, while an education or skill remains the true basis for success in our society.

A related purpose of the project is community interaction and involvement through sports and cultural activities. An attractive sports and cultural enrichment program draws a great number of people together, providing an advantageous opportunity for close community contact, involvement and positive communication.

A. Specific project objectives

The following is a breakdown by service:

(1) Compensate for the lack of organized recreational activities for youth and adults in the Greater Buffalo area,with the assistance of professional athletes. Serve 2,500.

(2) Combat juvenile delinquency and drug abuse through concrete and relevant social, educational and recreational programs. Serve 500.

(3) Provide for complete community participation and interaction in social services, through an involved and interesting athletic program for youth and adults. Serve 2,500.

(4) Direct certain service operations in a manner which will aid in the expansion of educational opportunities for youth and young adults. Service 250.

(5) To assist youth in returning to school, advancing education or in obtaining employment when definite and sure jobs are made known to the staff. Serve 50.

(6) To provide employment within the project for city residents. Serve 22.

(7) To create a potential job market for individuals interested in recreation. Serve 10.

(8) To provide physical examinations and information on proper health and hygienic habits. Serve 2,500.

(9) To provide cultural enrichment activities for its participants. Serve 2,500.

2. PROJECT COMPOSITION-TARGET POPULATION CHARACTERISTICS (BENEFICIARIES)

The target area will be landscaped into five (5) districts, reflective of the geographical boundaries of the Department of Parks as follows:

District No. 1 Ellicott. serve 500.

District No. 2 Grover Cleveland, serve 500.

District No. 3 Humboldt area, serve 500.

District No. 4 The Front area, serve 500.

District No. 5 Cazenovia & South Park area, serve 500.

It is estimated that the project target population will comprise 2,500 students. Both youth and young adults of the Greater Buffalo area.

Specific eligibility criteria has not been identified. However, with the cooperation and assistance of other established agencies (YMCA's, Boys Clubs, recreation centers, etc.) The project shall coordinate a city-wide sports league.

For purposes of organization and control, the target population will be organized in the following manner:

A. Peer Group Formation

The participants enrolled in the projects from each district (1–5) shall be divided into peer groups within their respective areas as follows:

Peer Group No. 1 ages 9–12.

Peer Group No. 2 ages 13–15.

Peer Group No. 3 ages 16–19.

Peer Group No. 4 ages 20 and over.

This method of categorizing the target population shall be incorporated within each district. Four (4) peer group divisions in each district.

It is anticipated that the project will draw at least six (6) different groups from each peer group category, with a total of 15 members in each group, forming basketball teams that will participate in the league. However, it is not mandatory that you play basketball to be a member of the project.

SAVING MOUND BAYOU FROM HEW'S KNIFE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. RANGEL. Mr. Speaker, in Mound Bayou, Miss., the Nation's only black community-controlled hospital nearly fell victim to the "fiscal surgeons" of HEW. Motivated partly by the Nixon administration's determination to end the federally funded antipoverty program, and partly by Mr. Nixon's desire to please Senate conservatives who may decide his political future, the Government decided to discontinue Federal funding of Mound Bayou.

Vigorous lobbying by Members of Congress, particularly the Congressional Black Caucus, convinced HEW to back down and fund Mound Bayou for another year. The following article from the June 20 Washington Post describes the situation in Mound Bayou before additional funding was secured, and depicts the difficulty of preserving, much less encouraging, a modicum of black independence and initiative under the Nixon administration. I insert it into the RECORD for the information and attention of my colleagues:

[From the Washington Post, June 20, 1974]

SLOW DEATH FOR A HOSPITAL

(By Theodore Cross)

We knew about Mound Bayou before we got there. It is not a typical one stoplight Mississippi town that you read about in Faulkner novels. It is all black. The town officers, the school board, the sheriff, everybody. It has been that way since after the Civil War when it was founded by the emancipated slaves of the brother of Jefferson Davis. Of course, in the 1880s, the white folks in Mississippi had something else in mind, but their rhetoric was that black people "should be encouraged to form their own communities where they would be free to develop spiritually and economically." Once a fairly prosperous town with a good cotton crop and its own bank, Mound Bayou today, like most of the Delta, is on the economic skids. It is in Bolivar County, government-certified as the nation's poorest.

But the community is famous for its unique hospital—the only black community-controlled hospital in America.

Mississippi has always been uncomfortable with blacks acting in a self-respecting, self-sufficient way. Gov. William "Wild Bill" Waller vetoed last year's hospital funding from the Office of Economic Opportunity. When Washington overrode his veto, the state tried to lift the hospital's license. They didn't like all those doctors from Tufts and Meharry Medical Colleges messing around in their state. But the black community fought back and won the right to their license in a federal court.

But a year ago, as we drove south, Mound Bayou, and the hospital, were still in serious trouble. The White House had just sent telegrams to all the black community self-help organizations around the country. The message was clipped, icy, and dispatched without warning: All federal support money would come to an end on June 30, 1973.

This decision in Washington was all part of a bolder scheme. By fiat, the executive branch was abolishing the federal antipoverty program. Constitutional lawyers were dumbfounded. How could that be when a parliament of the people had created it in the first place? Never mind. It was being done.

Now, Victor Sparrow, a young black Harvard-trained lawyer, and I were carpetbaggers. And we certainly thought of ourselves as mini-Messiahs, at the least. But we were not dumbbells. In the past we had worked our way through all those rabbit warrens at OEO, Health, Education and Welfare. Once there was an invitation to speak at a cabinet meeting in 1970. I urged the President to spend some petty cash on an experimental black development program. Nixon was dubious. "We won't get any black votes," he said. But, in the lingo of the Watergate tapes, he "stroked" me for my constructive work and said he would go along with the plan. So we thought we had some clout. But Victor Sparrow was the one I was really counting on. He had been honored with a White House Fellowship in 1970. He was agile. He knew how to move paper at the White House. And our plan was to get those White House telegrams recalled.

Of course, our strategy was Machiavellian. In the White House the young fogeys in the heavy cordovan shoes work on a simple calculus: what is correct is what works. It has been years since anyone there has struggled with abstract propositions of "right" or "wrong."

So Victor and I would prove to those neo-utilitarians in Washington, who valued money over compassion, that the federal fiscal load in preventing poor folks from dying would be lighter if the federal government paid the million dollars a year it took to keep the Mound Bayou hospital open.

We finally drove into Mound Bayou and turned left. You can't miss the hospital. Howard Jessemy, the gentle and endearing hospital administrator, and Dan Mitchell, a tough-minded man in charge of overall development and planning, showed us around. By northern standards the hospital is a tiny and dilapidated place. Probably less than a hundred beds to serve about 150,000 people in four counties. My memory is that most of the wards were filled with babies clad only in diapers: little black figures silhouetted against snowy white sheets. Downstairs were the outpatients. There were hundreds of mothers waiting their turn—changing diapers, taking care of basic needs, but so awfully concerned about their places in line and about the decorum of their children.

Victor and I are both lawyers. We were on the case. We assembled the facts. We returned last May to New York to write our brief. But all of a sudden the Watergate investigation exploded. Strange things began to happen. The Congress had gotten new confidence and muscle. Only then had it occurred to someone to *ask* a federal judge if the President's guillotine power over OEO was the equivalent of Nero's power over the citizens of Rome. The court ruled against the President. He was stunned. But bureaucracies, including OEO and HEW, have a momentum of their own. With no direction from the White House, they simply kept on doing what they had always been doing—giving out the cookies. And so the negative telegrams from the White House were never acted on. Mound Bayou, Bedford Stuyvesant, Hough and Watts would continue to get their modest stipends.

But this spring, the fiscal surgeons at HEW were on the job. First they said that beyond June of this year, Mound Bayou Hospital would get no more money. Then a few weeks ago they said it would be slow death instead. The hospital will get a "terminal" grant only—which Jessemy hopes would keep the doors open until Christmas. HEW says it can get more medical care for its dollars with regional health centers, and the agency says to the black hospital administrators: "Don't forget about your slice of 'revenue sharing.'" But this federal money will filter down in Mississippi through Governor Waller!

So this time it's really serious for Mound Bayou. There's nobody in the executive branch to curb HEW's knife. Only a man named Nixon. Don't forget, on the same issue his office once overrode the governor of Mississippi. But Mr. Nixon is no longer acting like a President. With an impeachment vote possible, the President needs Mississippi's Senators—John Stennis and James Eastland. They have him in their pocket. And they don't want the hospital.

People who are working to save the Mound Bayou Hospital make this argument: "Should Eastland give the poultry farmers of Mississippi $10 million in federal money in one year as compensation for having to kill off a bunch of contaminated chickens, when this happens to be enough money to run Mound Bayou Hospital for 10 years?" They have put the message on national television: "Which comes first—chickens or people?"

The argument is technically specious, and the people fighting to save the hospital know it. But they also know that when the angels are on your side, there's more gunpowder in one well-honed phrase than in a thousand pistol-packing Black Panthers. I guess they remember too how Churchill got control of world opinion when Britain was threatened with getting her neck wrung like a chicken. He just went on the radio and said: "Some neck . . . some chicken."

Now the Black Congressional Caucus is on the job. After what happened to Sen. J. W. Fulbright in the Arkansas primary, even Stennis and Eastland are taking political soundings in Mississippi. If the poor people in Bolivar County keep their hospital, it will be because black people in Mississippi have entered the world of politics.

THE HONORABLE LEWIS DESCHLER

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1974

Mr. SIKES. Mr. Speaker, I wish to join with my colleagues in paying special tribute to the Honorable Lewis Deschler who is retiring as Parliamentarian of the House. He has served in this most demanding position since 1928 with honor and distinction. Few men in history have exercised greater responsibilities in the House. They have involved advising the Speaker, the majority leader, the minority leader, as well as Members of the House and committee staff personnel on important parliamentary procedures. His guidance has been universally hailed. His advice and counsel on a wide range of subjects has been sought many times over and we are all grateful for his cooperation and expertise. He has played a historic role in the development of House rules and has contributed as much as any person to the orderly functioning of the House.

Lew Deschler is a gentleman in every sense of the word and I am pleased to call him my friend. During my years in the House, I have come not only to respect the man immensely, but to rely unquestionably on his judgment as well. He has always been kind, considerate, and helpful.

It is an honor to join in this tribute to Mr. Deschler and I want to extend to him my very best wishes for abundant good health, good fortune, and much happiness in the years ahead. I am delighted that he will continue his life of service to the House as senior advisor in the Office of the Parliamentarian.

OCCIDENTAL SIGNS CONTRACTS WITH SOVIETS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ASHBROOK. Mr. Speaker, some Americans may be wondering why Occidental Petroleum Corp. President Armand Hammer is such a strong advocate of détente with the Soviet Union. One reason apparently is the financial benefit he expects to receive from expanded American-Soviet trade.

According to the June 29, 1974, Cleveland Plain Dealer, Occidental and three Soviet organizations have signed a series of 20-year contracts for the sale of chemicals which Hammer values at $20 billion. U.S. diplomats say that this is the largest Soviet-American trade deal in history.

Occidental also signed contracts to design, equip and supervise the construction of two port facilities in the Soviet Union to handle the chemicals. Hammer estimates that these construction agreements are worth another $100 million.

The American taxpayer will help pay for whatever financial benefits Hammer reaps from these transactions. The port construction and the ammonia factories involved in the chemical sale will, in large part, be financed by a $180 million low-interest loan provided by the American taxpayer subsidized Export-Import Bank.

The interest on the loan will be 6 percent—about half the prime commercial lending rate in the United States.

Following is the text of the articles from the Plain Dealer:

[From the Cleveland Plain Dealer, June 29, 1974]

GIANT UNITED STATES-SOVIET DEAL CLOSED

Moscow.—The Soviet Union has signed a series of 20-year contracts with the Occidental Petroleum Corp. of California for the swap of chemicals—a transaction that at current market prices is said to value about $20 billion.

The arrangement, according to U.S. diplomats, is the biggest Soviet-American trade deal in history, but it is essentially on a barter basis and does not actually involve any large exchange of money. The $20-billion estimate is the total of what all the chemicals to be swapped over the next two decades would be worth if they were sold today.

On an annual basis, the deal represents between a third and a half of the present figures for Soviet-American trade—a welcome statistic to those in both superpower capitals who regard increased trade as a cornerstone to detente.

Yesterday's signing had no direct connection to the current round of summit talks between President Nixon and Soviet Communist party General Secretary Leonid I. Brezhnev. Dr. Armand Hammer, Occidental's chief executive officer, told reporters, however, that both President Nixon and Brezhnev had personally encouraged the deal along.

Hammer first announced the agreement in principle for the chemical swap with the Soviets in April 1973, but the first contracts—for the construction of four huge ammonia plants—were not signed until last week. The end purpose of the deal, from the Soviet standpoint, is to increase its production of chemical fertilizers which are needed to improve production on the country's underproductive farms.

In addition to the chemical contracts signed yesterday, the Soviet signed two other contracts with Occidental Petroleum that do involve a direct exchange of money.

These contracts, worth approximately $100 million, are for the construction of port facilities at cities on the Baltic and Black seas. The ports at Ventspils and Odessa will receive superphosphoric acid imported from the United States and will export ammonia, urea and potash.

The port construction and the four ammonia factories (to be built under the supervision of the Chemical Construction Corp., CHEMICO) a division of the General Tire and Rubber Co., Akron, will be financed by the Soviets largely from a $360-million credit authorized last month by the American Export-Import Bank, half of it provided by private U.S. banks.

Hammer said yesterday that President Nixon had written a letter to the Ex-Im Bank pointing out that the credits to be used in support of the chemical swap were in the national interest. Brezhnev's part in securing the deal, according to Hammer, was his personal support for it expresed in two private meetings.

Despite its immense proportions, the arrangements as disclosed yesterday, were not as ambitious as envisioned by Hammer 14 months ago. Then, the deal called for the construction of an expensive pipeline to carry superphosphoric acid from the ports to locations inside the Soviet Union.

Yesterday Hammer said the pipeline had been "postponed" and the chemical would be transported in railroad cars, raising the possibility that not much will be involved.

Occidental Petroleum has reportedly been in some financial difficulty recently and there was some question whether Hammer would be able to raise enough money to go ahead with his part of the bargain. U.S. sources said the postponement of the pipeline was an indication that he raised much, but not all, of the cash he wanted.

Although connected with the overall chemical trade, CHEMICO contracts for the construction of the ammonia plants, which at $200 million are the biggest single dollar orders ever given by the Soviets to an American company, will not be dependent on the future prospects of Hammer's firm.

GOING TO WAR WITHOUT AN ARMY

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. YOUNG of Georgia. Mr. Speaker President Nixon has promised us a generation of peace and praise God, for once in 6 years he may be right. That is, if we understand by peace a period without a worldwide military confrontation between the massive ideological kingdoms of East and West. But the conflict and struggle for preeminence between men as nations will certainly not come to a screeching halt with the "lion and the lamb lying down together."

The cessation of missile rattling between the United States and the Soviet

Union has come about not just by the diplomatic miracles of Kissinger and Nixon, though they clearly deserve credit for crystalizing a détente whose time had come. Rather both great powers are finding it too costly to continue a military competition in Southeast Asia while Japan and West Germany corner the markets for consumer goods and services throughout the rest of the world.

The battleground of the future is the world marketplace, and the new arsenal of weaponry has more to do with the value of one's currency, national productivity of consumer goods, and the availability of natural resources and technology.

The present battles of national security are taking place in the speculative money markets of Switzerland, the Internaitonal Monetary Fund's Committee of Twenty, the World Bank, the International Development Association, and, in the coming year, will move to the General Agreements on Trade and Tariffs.

It is a new world, a new battlefield, a few of us in Government, whether Congress or the executive branch, have fully adjusted to it or even begun to understand. Just as alarming, the professional economists who advise both seem to have no strategy for the future. The old models, whether economic or military, fail us. When the President circles the global making traditional military and economic concessions en masse to assure a peace already achieved, we only contribute to weaknesses in our own already shaky economic situation at home.

But for all the dangers and difficulties, the possible shift from military to economic conflict must be welcomed as the dawn of an exciting new era.

We are still at war, but it is a war calling for creativity and productivity rather than the mechanisms of death and destruction. The consequences of defeat and failure are just as dire, but the common thread of destiny is more obvious in economic conflict. Technology cannot survive without mineral resources, and producers need consumers. Indeed, we are becoming increasingly aware of our interdependency and our mutual vulnerability. The threat of worldwide recession is no longer remote, as the following article by Mr. Joseph R. Slevin attests:

[From the Washington Post, June 30, 1974]

THREAT OF WORLDWIDE RECESSION GROWS

(By Joseph R. Slevin)

The threat of a worldwide recession is causing mounting concern among economic forecasters.

It's only a cloud on the horizon but it looms larger than it did a month or two ago.

A sampling of government and private forecasters discloses that few are willing to predict that a worldwide slump actually will occur. Many are quick to warn, however, that it is a very real possibility that must be reckoned with.

The experts see two main weaknesses in the international economic scene.

One is the serious impact that the steep Arab oil prices may have on the capacity of oil consumers to buy other goods.

The second is the restrictive effect of the increasingly rigorous anti-inflation programs that industrial nations are pursuing.

Federal Reserve Board Chairman Arthur Burns and his West German opposite number, Bundesbank President Karl Klasen, three weeks ago joined at the International Monetary Conference in flatly declaring there will be no world recession.

While the central bankers clearly were anxious to bolster public confidence and undoubtedly would take the same upper approach today, the economics of the major countries have a weaker look than they did.

"Check them out," a top federal forecaster urges. "There isn't one important country that's expanding rapidly, not one."

The government expert stresses that most countries seem to be chalking up impressive gains because their nominal output volume is being swollen by inflationary price increases. Real production, however, is changing little, with small increases or small declines being typical.

Germany is the envy of most other countries for it has the lowest inflation rate and best international payments performance but German industrial production is only 1 per cent above a year ago and is lower than it was during the winter.

The huge U.S. economy is struggling to grow again after having slumped sharply but the consensus judgment is that it will post only tiny gains at most during the rest of this year—and that it could sink into a deepening recession if that is the way the world is going.

Tight money is causing even greater housing weakness than seemed likely when Burns issued his "no recession" forecast. Consumers are behaving like reluctant spenders and businessmen are showing signs of pulling in their horns, too.

French President Valery Giscard d'Estaing has announced new austerity measures to curb inflationary spending and the Bank of France recently boosted its discount rate to a record 13 per cent.

Germany is holding to its tight money policy as are the British and the inflation-ridden Japanese.

Italy has resolved its cabinet crisis with an agreement to carry out firm fiscal anti-inflation measures to bolster the Bank of Italy's restrictive credit program.

All the major Free World governments are consciously seeking sluggish economies to break their inflation spirals. It would not take much to push them over the line and into the worldwide recession that Burns and Klasen said won't happen.

Three international agencies structure the new battleground into models the United Nations may never achieve—the International Monetary Fund, the General Agreements on Trade and Tariffs, and the International Development Association. Essentially the same people are involved in all of these financial and trade structures, and one's participation or nonparticipation in one will have definite consequences in the others.

The IMF Committee of Twenty has nine votes from the lesser developed countries. This is a bloc of nations now threatened with bankruptcy due to the escalation of oil prices. The LDC's also contain the largest store of untapped natural resources and potential consumer markets of the future. Monetary reform is a political and economic process which the United States can no longer dominate. Decisions are carefully negotiated and the LDC's voting as a bloc have a significant impact on the value of our dollars.

The same is true for the preferences which we enjoy with GATT, the General Agreements on Trade and Tariffs. The oil embargo and price escalation are just the beginning in the battle for natural resources. Bauxite, tin, copper, zinc, and even coffee can soon be expected to enter the price war with the industrial nations. Continuing our present level of prosperity, yet sharing opportunities for development through fair trade, is as serious a challenge to our national security as Soviet missiles.

IDA, the International Development Association, serves the development needs of nations with per capita incomes of $375 a year and less. It is a basic humanitarian program which had its birth in the U.S. Congress. Formerly the United States contributed 40 percent of the funding for IDA. That percentage has now been reduced to 33⅓ percent as Japan, Germany, and other industrialized nations perceived the values of this program in terms of their own economic interest.

The United States also enjoys a $17 billion market for our goods in these countries as development proceeds and markets grow. This developing world also provides 60 percent of our import requirements for eight essential industrial raw materials.

U.S. participation in IDA is the foundation of this Nation's economic defense system. It is the army of economic warfare, for it is here that the basic style of friendly competition or hostile conflict will be determined. For the United States to enter the economic warfare of our time with no involvement in IDA is like going to war without an army.

Secretary of the Treasury Simon will be embarking on a tour of nations shortly. In that tour he will set the tone of our future financial affairs. It would be a tragedy of unimaginable proportions for him to leave without congressional authorization of the fourth IDA replenishment.

The $375 million per year in four installments is a small investment in the possibility of peaceful economic progress. The Senate has already approved IDA funding by a vote of 55 to 27. Now the House must act. Not to do so would be to bury our heads in the sands of a blind isolationism—one which would surely lead to consequences as perilous as our refusal to join the League of Nations.

The future is in our hands.

LIVESTOCK LOAN GIVEAWAY

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. PEYSER. Mr. Speaker, it is gratifying to see the growing public reaction against the emergency livestock loan bill, an especially ill-considered piece of legislation which has recently been reported out by the House Agriculture Committee. The bill, which would grant a Government guarantee on new loans to cattle growers, has aroused the opposition of many consumers, newspapers, public interest groups, and even cattle feeders

organizations who see the uniquely ineffectual and potentially damaging consequences of enactment. The bill will not only interrupt the working of the free market to the great disadvantage of the consumer, but will fail to improve the market situation for cattlemen. The bill will allow already heavily indebted cattlemen to plunge further in debt while encouraging middlemen to maintain beef prices to the consumer at near record highs.

The bill fails to address the real problem—that American consumers are unwilling to buy beef at current prices. The special loan guarantee will serve only to further confuse an already topsy-turvy market. It can only result in higher prices to the consumer, more stockpiling of beef, and greater losses to producers.

Although feeders are currently reporting losses of $75 to $150 on each head of cattle they sell, lower prices have not been passed on to consumers. In fact, the Agriculture Department has reported that the farm-to-retail price spread for beef averaged 26 percent above the year's earlier levels during the 6 months ended last March. Middlemen, retailers and packers, say they were badly hurt by the price controls period last year and point to this and higher costs in energy, labor and transportation to justify the continued high consumer prices.

Clearly, the loan approach will not lead to market adjustments. With Government intervention in the form of the guaranteed loans, middlemen will continue to capitalize on the producers' plight and, consumers will continue to pay higher prices. With further increased stockpiling, the spiral continues. Presumably, the Government will be asked to come to the rescue again next year with another emergency loan bill. Until the market adjusts, fewer—not more—loans are called for.

Without Government intervention, middlemen will be forced to recognize that profit margins must be reduced to stimulate consumptions. And only increased consumption can provide a real solution to the problems of the producers.

Happily, cattlemen are also beginning to recognize that this bill will inevitably only further worsen their lot. Last Friday, for example, the Idaho Cattle Feeders Association released the results of a telephone poll of the officers, directors, and a number of other members of the association which found unanimous opposition to the bill, including a "number of emphatic negative replies." The executive vice president of the Idaho Cattlemen's Association reported similar results in a poll of officers and directors of that group.

An editorial in last Sunday's New York Times calls the bill an appalling precedent. Because the editorial further challenges some of the faulty logic and questionable motive behind the bill, I wish to place it in the RECORD at this time:

[From the Wall Street Journal, June 26, 1974]

HOOFBEATS ON CAPITOL HILL

Our heartfelt sympathies go to the nation's livestock feeders and ranchers, who have lost more than $1 billion since beef and hog prices broke last fall. Our regrets do not extend to having the taxpayers bail the boys out of their financial difficulties, however, even though they are understandably arguing that because the government helped get them in this fix it has an obligation to get them out.

The simple answer to the above is that the government didn't force anyone to do anything against his will, but simply caused general confusion in the industry last year by freezing beef prices. Whenever the government suspends the law of supply and demand in an industry, the industry has to make economic judgments without benefit of a price signal. Operating in the blind, and assuming the public would continue to increase its consumption of meat even at sharply higher prices, the livestock feeders bid the prices of feeder cattle and hogs into the stratosphere. They were wrong.

They now want the government to bail them out with loan guarantees, and the Senate has whipped up an emergency program to that effect. There are at least two good reasons why such a program should not be enacted. One is that credit guarantees further cloud the signals of the market, on the margin encouraging investment in feedlot operations when at the moment there is obviously oversupply. Secondly, it would be a dangerously bad precedent. Every sector of the economy can now put together a case that it has been harmed by government interference in the marketplace, and we would be the first to agree. But can the government guarantee everyone's credit?

The other hot idea the livestock people have been pushing is to reimpose quotas on meat imports. "There is simply no justification for permitting unlimited meat imports into our nation today," says Iowa's Sen. Richard Clark in urging same. Without realizing how foolish it sounds, the Senator also says "the administration can do more to encourage beef exports. Specifically, this country can accelerate negotiations with Canada that will lead to a lifting of the Canadian ban on beef imports." In other words, all those foreigners should stop sending us beef and we have to talk them into buying ours.

It is unfortunate that U.S. trading partners have been restricting meat imports, giving one excuse or another. The real reason is that just as there are now hoofbeats on Capitol Hill, livestock interests the world over have been stampeding their respective governments into protectionist, beggar-thy-neighbor policies. The price slump, after all, has been world-wide.

How nice it would be if the United States were in a position to express outrage at these practices. But the United States itself is the culprit. We're the main consumers of beef in the world; the world price rises and falls chiefly as a result of supply and demand here. During the last big price slump in livestock, Congress passed the Meat Import Quota Act of 1964, signaling the livestock producers abroad that there was only limited access to the biggest market.

When supplies tightened and quotas were lifted in June, 1972, the U.S. government thereby invited producers abroad to gear up again for this market. The price freeze last year not only confused the domestic industry, it confounded the foreign producers. How can we now blame them for wanting relief from the selfish and absurd stop-and-go policies of the U.S. government?

Enough is enough. The domestic livestock people, who are big boys, should recognize that government "assistance" is an illusion, that the inevitable effect of loan guarantees or import quotas is simply a deepening of the curves in the beef cycle. With no government interference at all, there would still be ups and downs in the industry. But it would take one of nature's worst catastrophes to trigger a boom and bust cycle of the kind of government fashioned these past few years.

Instead of caving in to the livestock lobby and starting the cycle again, the government should emphatically renounce these assistance schemes. If it does so with enough conviction, it might be in a position to persuade our wary trade partners that we can be trusted. They'd then have a better chance of resisting the pleas of their livestock interests and the nontariff barriers to trade can be negotiated away. Whether the cowboys believe it or not, the quickest way to get their industry back to health is to get themselves and their horses back on the range, or at least out of Washington, D.C.

[From New York Sunday News, June 30, 1974]

ANOTHER PASS AT THE TROUGH

Acting with indecent haste and absolute contempt for consumers, Congress is preparing a multibillion-dollar bonanza for livestock producers, poultrymen and the banks that finance them.

A bill that would provide our pampered cattlemen with an estimated $3 billion in federal loan guarantees already has whooshed through the Senate.

The House Agriculture Committee has okayed a $2 billion version of this welfare plan, expanding it to include raisers of everything that bawls, bleats, moos, squeals and cackles.

Reps. Peter Peyser (R-N.Y.) and George Brown Jr. (D-Calif.), were the sole members of the panel to stand up for consumers in the face of the farm-lobby steamroller.

Peyser will lead the floor fight against this outrageous grab, which is all the more galling because the noble herdsmen now sobbing for a government bail-out are the same people who made money hand over fist when meat prices soared out of sight last year.

Then, they told the buying public to trust in the free market to make things right. Now they want the game rigged again to their advantage.

With practiced skill, the managers of this monstrosity are jockeying it swiftly before the House to give Rep. Peyser, his allies and the people generally the least possible time to mount an effective opposition.

The consumers' hope rests with urban-area lawmakers, who have the votes to kill the grab, provided they stand together. If they fail to do so, the voters who put them in Washington would be eminently justified in conducting a wholesale purge come November.

[From the New York Times, June 28, 1974]

CATTLEMEN'S BEEF

Through all the months of skyrocketing beef prices, the free market had no stancher defenders than the nation's cattlemen. The law of supply and demand took on the status of Holy Writ in their argument against any Governmental interference with the right of the cow to jump over the moon when it came to prices.

Now that the cost of steaks and other cuts are moving down, these same cattlemen want the law of supply and demand repealed in favor of import quotas, Government-guaranteed emergency loans and other forms of protectionism aimed at keeping prices high.

Unfortunately, the drop in the wholesale price of steers at the feedlot from 46 to 35 cents a pound over the last year has benefited the consumer but little. Supermarket prices have declined much less than wholesale prices as a result of rising middlemen's costs and profits. After a further rise, they are barely back to the level that set off last year's housewives' strike.

But the ranchers and feedlot operators, who profited exorbitantly from high prices last year—and, gambling on still higher prices, raised production further—undoubt-

edly are in trouble now. Feed and other costs of production are up, while high-priced beef continues to meet the consumer resistance it deserves. Wholesale prices are down to the point where losses of $100 or more on each animal sold for slaughter are being taken by feedlot operators, as well as by the high income-tax-bracket investors whose search for tax shelters has provided an increasing part of feedlot capital in recent years.

As a result, Congressional servants of the cattle industry have pushed through the Senate an outrageous subsidy bill for Government-guaranteed loans of up to $350,000 per livestock operator—as compared with $20,000 in other farm programs. The bill would set an appalling precedent.

Furthermore, with desperate food shortages in many places abroad, there is no moral or economic justification for artificially restraining a drop in the output of grain-fed beef, which consumes more grain per unit of protein produced than any other important food source. The grain saved by a cutback in beef output could feed five times as many of the world's hungry millions as the beef that is foregone.

The Administration is waging a quiet but valiant battle in the House against some of the worst elements in the guaranteed-loan bill, after getting the Senate to delete an authorization of $3 billion for the program and to cut back the loan ceiling per livestock operator. Unless further, far more drastic revisions—for example, to benefit the family farmer alone, rather than the feedlot gamblers—are adopted, a Presidential veto will be essential to head off a scandalous steal out of the public treasury for purposes directly opposite to the public interest.

U.S. MAYORS AGREE ON URGENCY OF URBAN PROBLEMS

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. BADILLO. Mr. Speaker, at the recent meeting of the U.S. conference of mayors held in San Diego, a great part of the discussion was devoted to contemporary urban problems whose solutions are beyond the resources of city governments but are not being met by other levels of government. I believe that one result of that San Diego convention will be intensified requests from city halls around the country for Federal assistance to help meet the needs of the major urban centers.

But to whom can the mayors address their concerns? If they communicate with those of us in Congress whose districts include all or parts of a city, we will have the same problem of inability to refer the interrelated urban concerns to any single forum dealing with these complex matters on a regional, comprehensive basis.

I submit that creation of a House Committee on Urban Affairs is necessary at this time to enable us to begin before it is too late to restore our great urban centers, and make them once again the focal point of commerce, the arts, and day-to-day living that they have traditionally been in this country, More and more officials at the city and State level are beginning to share this point of view, and I include here some of the recent letters I have received endorsing the proposal:

CITY OF GRAND RAPIDS, MICH.,
June 19, 1974.

Hon. HERMAN BADILLO,
Cannon Building, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN BADILLO: Thank you very much for your recent letter informing me of your proposed Committee on Urban Affairs.

I find myself generally in support of your proposal. However, I caution you not to promote this Committee as the sole Congressional body to deal with the urban crisis, for the concerns of American cities are of such complexity that no single committee would be able to give them adequate consideration. The partial centralization of Congressional response to urban problems which the proposed committee's jurisdiction implies is commendable; a more extensive centralization including education, crime, drugs and employment would be unwise.

I believe your committee would become an effective rallying point for urban congressmen. This would be its most important benefit.

Within the next few days, I will contact our Congressman, Richard Vander Veen, and indicate to him my support of your amendments.

Sincerely,

LYMAN S. PARKS, *Mayor.*

OFFICE OF THE MAYOR,
Trenton, N.J., June 21, 1974.

Hon. HERMAN BADILLO,
Cannon Office Building,
Washington, D.C.

DEAR CONGRESSMAN BADILLO: I appreciate your writing to me about your proposal to establish a standing committee on Urban Affairs in the U.S. House of Representatives. As a Mayor, I certainly share your feeling that a better coordinated and stronger response to the many problems of our Nation's cities is needed at the Federal level. If the creation of a standing committee in the House with responsibility for all those matters affecting urban areas would help to provide this kind of response, then I am ready to support your proposal enthusiastically. I understand, however, that factors such as the make-up of a new committee, the aim of committee consolidation, as well as the timing of committee reform, must be taken into consideration before supporting such a proposal.

It is my understanding that members of your staff will be meeting with representatives from the National League of Cities/U.S. Conference of Mayors in early July. I would hope that all the considerations surrounding your proposal can be aired at that time.

Sincerely yours,

ARTHUR J. HOLLAND.

STATE OF ARKANSAS,
Little Rock, Ark., June 24, 1974.

Hon. HERMAN BADILLO,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR MR. BADILLO: I have your letter of June 19 with the enclosed page from the Congressional Record on the proposal to establish a standing House Committee on Urban Affairs.

While Arkansas has not experienced the intense urban sprawl of the Northeast, the problems of unbridled urban growth have begun to raise their ugly heads in several of our communities.

My initial reaction is to be against the proliferation of any further congressional committees, and yet, the problem you highlight is of considerable magnitude and certainly worthy of standing committee status. Assuming there is no other vehicle in the Congress to handle these problems, I heartily endorse your proposal.

Thank you for bringing the matter to my attention. I will follow its progress with great interest.

Kindest regards.

Sincerely,

DALE BUMPERS.

OFFICE OF THE MAYOR,
Berkeley, Calif., June 25, 1974.

Hon. HERMAN BADILLO,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BADILLO: Thank you for advising me of your proposal to establish a Standing Committee on Urban Affairs in the U. S. House of Representatives. I agree with you that something should be done to change the attitudes on important measures relating to aid for cities in education, housing, mass transit and other vital issues. Your amendment to the Bolling Committee's reform bill is a valuable step toward making these necessary changes. A committee on Urban Affairs would be the essential key.

I will be happy to be of service in any way possible in this endeavor.

Sincerely,

WARREN WIDENER,
Mayor.

TRIBUTE TO ADM. ELMO R. ZUMWALT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. DERWINSKI. Mr. Speaker, one of the most knowledgeable columnists of the Washington scene is Chicago Tribune's Bill Anderson, who in his earlier years as a news reporter covered the Pentagon beat.

He has followed very closely the performance of Adm. Elmo R. Zumwalt, Chief of Naval Operations, and in his column of June 23, Bill Anderson pays tribute to Admiral Zumwalt on the occasion of his retirement after a great career in the U.S. Navy.

From my contact with Admiral Zumwalt and my knowledge of his battle in the Pentagon, for change to modernizing the Navy, I am pleased to insert this column into the RECORD and I wish to extend my best wishes to Admiral Zumwalt on his retirement. He is an outstanding example of a naval officer who has served his country with courage, leadership, and vigor:

ZUMWALT LEAVING HIS CHANGED NAVY

(By Bill Anderson)

ANNAPOLIS, Md.—Adm. Elmo R. [Bud] Zumwalt steps aside here tomorrow as chief of naval operations with honors at the academy where he began as a young sailor 32 years ago.

Zumwalt's physical appearance casts him as an admiral. He is a big man, tall and rather stern-looking with bushy eyebrows. My guess is that he would have been a gentleman and a top professional without holding the rank of an officer. This is a view shared by many members of Congress and a very high percentage of the younger people serving in the Navy.

But some of the older brass, many of them retired—and determined to preserve, in today's nuclear Navy, traditions that were born in the days of sailing ships—hold opinions that don't rank Zumwalt that high pro-

fessionally. The views of these would-be helmsmen developed largely because Zumwalt has shaken the personnel policies of the Navy right down to its bell-bottomed trousers.

In four years as the chief, Zumwalt has made life a great deal better for the enlisted personnel and opened doors of opportunity for junior officers as well—literally thousands of sailors who were calling it quits in the old Navy.

The admiral has led a special drive to give an equal break to the once-limited minorities—people like blacks and women. Family life is better in the Navy today because a huge effort has been made to reduce long, solitary tours at sea.

Yet, not even Zumwalt thinks the Navy is in as good condition as it should be. For example, we aren't replacing airplanes as fast as they wear out; we have given up 47 per cent of our surface ships in the last five years. A lot of our remaining ships are too old and in poor repair. On a real basis, the Russians continue to build while the United States slides.

At this moment it appears that the United States has given up its capability to control the seas; the possibility of success in the event of a confrontation with the Soviets declines each year. In a way, Zumwalt has been America's Winston Churchill because he has warned both Congress and the public of this erosion.

Yet the factors that have caused a general American military decline—political and social unrest in the aftermath of the Viet Nam War—have in some ways displayed the very real strength of Zumwalt to meet and match change.

From the very beginning, Zumwalt's career has been a series of firsts—and therefore tradition-breaking. He was a very junior naval officer at the end of World War II when his destroyer was the first American ship to reach Shanghai. There he met and married the beautiful Mouza Coutelais-du-Roche. Tradition had it in those days that a future chief of naval operations would likely be wed immediately upon graduation from Annapolis.

Many years later, in the War College, Zumwalt wrote a military posture statement so brilliant that it found its way to the desk of Paul H. Nitze, then the director of the International Security Affairs office of the Pentagon. When Nitze became Navy secretary, he took Zumwalt along as an aide. It was in this position that Capt. Zumwalt began to reshape once rejected budgets to enable the Navy to maintain a better posture than previously.

Zumwalt went off to Viet Nam [as the Navy's youngest admiral] to work on the line with the generations that fought the losing war. When he became the chief [also the youngest], Zumwalt wasn't very far removed from either the reality of officers' wardrooms, the cloakrooms of Congress, or the often restless and sometimes ugly mood of the fleet sailors.

A staggering 90 per cent of the enlisted ranks were getting out at the first opportunity when he took command. Maintenance suffered as men with critical specialties found a better life among civilians. Enlistments were also off, and education levels were far too low for operation of a computer-electronic fleet.

Against great opposition, Zumwalt initiated the personnel changes. He also found a lot of support. Today approximately 27 per cent of the first-termers are staying in—and therefore saving the taxpayers millions of dollars that would otherwise go for the cost of new training. The highly personal effort of Zumwalt [and others] in Congress to gain approval for the new Trident submarine gives promise of maintaining one element of this nation's strategic force.

We know from interviews that many sailors here—and around the world—will salute Zumwalt tomorrow with more than usual respect because he has fought for their dignity. In doing so, the 53-year-old admiral picked up a great deal more himself.

JUVENILE DELINQUENCY ACT OF 1974

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mrs. BURKE of California. Mr. Speaker, despite all of our present efforts the number of crimes committed by juvenile offenders is increasing at an astonishing rate. Criminal activity continues to serve many of our youth both as a misguided means of realizing their broken dreams for social and economic achievement and as an outlet for their expressions of frustration and dissatisfaction with the "establishment."

The existing system of juvenile justice has proven unequal to the growing number of crimes committed by our young people. The obvious ineffectiveness of existing programs has surfaced at every level of Government. Federal, State, and local officials agree that changes must be made. Part of the problem, I am sure, lies in the lack of coordination and long-range planning among the various programs and public agencies working on this critical problem.

Once a youth receives the label "delinquent" he wears a badge which serves as a pass to an almost endless cycle of life-long confrontations with our criminal justice system. He receives little help in the way of education or psychological counseling, and emerges from so-called rehabilitation programs no better prepared to cope with the realities and responsibilities of day-to-day living in our society. In reality, many of our institutions of juvenile justice serve only as preparatory schools for hardened criminals.

In the Los Angeles area, more than one-third of all serious crimes are committed by juveniles. This figure represents serious violations of law, not minor infractions one might attribute to the impetuousness of youth. The proliferation of youth gangs in Los Angeles is further compounding these statistics and providing organized structures which often encourage and give impetus to criminal conduct.

Young people in Los Angeles and across this Nation are committing large numbers of burglaries, armed robberies, felonious assaults, and even murders—crimes once almost totally limited to adult offenders.

The problem is not simply one of law enforcement and rehabilitation programs, but even more importantly, it is one of prevention. The bulk of moneys presently spent in juvenile delinquency is not spent in this area. The existing Federal programs administered under the Law Enforcement Assistance Association have failed in this regard. It devotes less than 15 percent of its budget to "preventive" programs.

Los Angeles has over 370 social service agencies dealing with youth, but the bulk of available Federal funds goes not to these groups, but rather to the police department for enforcement and the probation department for rehabilitation. Programs of prevention, enforcement, and rehabilitation, while of obvious importance, cannot hope to solve the problem alone. We must give more emphasis to the goal of removing the root causes of crime—inadequate education, unemployment, substandard housing, and related environmental factors—problems which predominate in our central cities.

The Juvenile Delinquency Prevention Act of 1974 makes a significant step toward dealing with this growing crisis. This legislation will provide a more realistic level of funding for programs aimed at prevention rather than reactionary punishment. This bill will encourage the development of new and innovative programs aimed at reversing present trends and ultimately solve this problem rather than merely checking its growth.

The future of this country is its youth. If the problem of juvenile crime is not solved it will grow like a cancer which may ultimately consume and destroy us and our way of life. The old adage "an ounce of prevention is worth a pound of cure" was never more true than in the area of juvenile crime.

In conclusion, I would offer the suggestion that our behavior as legislators bears directly on the problem of abating juvenile delinquency in this country. So long as our youth see their Government and Government leadership as corrupt, we can expect their behavior to be adversely affected. For our part as legislators, it is my hope that we demonstrate so fine a quality of moral leadership that we would want our young people to follow it.

CONSERVE USE OF ENERGY

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. OWENS. Mr. Speaker, over the past few months, concern over the energy crisis has seemed to dwindle. Now that the immediate shortage is over, people seem ready to revert to the old habits. I think it is clear, though, that we must continue to conserve our use of energy until we are not primarily dependent on other countries for our supply. Foremost in this area is the need to restrict our consumption of automobile fuel.

When the 55-mile-per-hour speed limit was established in most States, skepticism was widespread. But anyone who has personally observed this measure can verify that strikingly better mileage results. In addition, there has been a marked decrease in automobile accidents and fatalities.

KSL Television of Salt Lake City concerned themselves with the same sub-

ject last week in one of their editorials. I think that their message bears repeating:

SHOULD WE KEEP THE 55-MILE-PER-HOUR SPEED LIMIT?

There has been a great deal of talk about the 55 mile-per-hour speed limit. The reason for that speed limit still exists; we have not solved the energy shortage. Gasoline could easily be in short supply again—and soon.

However, we would like to make a few observations. When the law went into effect in January, people obeyed it. Now, many of them don't. They must feel we have plenty of gasoline. We don't. Utah Highway Patrol officers are writing twice as many tickets and KSL commends them for their diligence.

The question is: Should we forget we have a serious gasoline problem and change the law because so many people are breaking it? Not a very good reason. But there are several good reasons to keep the 55 mile speed limit and to enforce it. The Highway Patrol reports that at this time last year, there had been 18,000 accidents. So far this year, there have been 12,600 . . . a reduction of 30 per cent. Highway fatalities were 151; now they number 80 . . . a 47 per cent reduction.

KSL believes we should keep the 55 mile-an-hour speed limit at least until our nation is energy self-sufficient! And then make it permanent if we haven't learned how to stop the needless slaughter and suffering caused by automobile accidents.

NEW FLIGHT PAY LEGISLATION AND THE PENTAGON

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ASPIN. Mr. Speaker, the Pentagon has attempted to "weasle out" of obeying a congressional directive ordering the Defense Department to give enlisted men 120 days' notice before they lose special bonus pay given to flight crew members. Mr. Speaker, the Pentagon is stomping on the rights of enlisted men.

Earlier this year when the Congress approved new flight pay legislation the House Armed Services Committee in its report accompanying the bill directed the Pentagon to issue a binding regulation guaranteeing enlisted men 120 days' notice before they lose their flight pay. Enlisted men receive flight pay only when they are actively serving as a flight crew member while officers receive flight pay whether they are in a flying job or not.

In its report the House Armed Services Committee stated:

The Committee wants its intention (of giving 120-day notice to enlisted men) very clearly understood. It wants such a regulation placed into effect on a priority basis and it wishes to be informed of any delay. . . .

Now, according to a Pentagon letter which has been received by the committee, the Defense Department says that it will only provide the 120-day notice to enlisted men who are losing their bonus flight pay "to the extent practicable."

According to the Pentagon letter written by Lt. Gen. Leo Benade, Deputy Assistant Defense Secretary for Military Personnel Policy, the 120-day notice is "somewhat unrealistic."

The Pentagon plans to exclude entirely from the 120-day notice enlisted men receiving bonus flight pay who lose it for medical reasons or are on flight duty on a month-to-month basis. The Pentagon also claims that shortages in some units and extra men in other units make it difficult to give every enlisted man 120 days' notice before he is removed from flight pay. The letter states that while 120-day notice is usually possible for overseas assignments, transfers within the United States will allow for only 90 days' notice.

In addition, even though Congress ordered the Pentagon to issue a binding directive guaranteeing the 120-day notice, the Pentagon states in its letter that they plan to issue a much more informal and nonbinding "policy memorandum." Apparently the Pentagon is attempting to weasle out of obeying this clear congressional directive. They are out to shaft the enlisted men. When it is inconvenient to give the required notice to the enlisted men losing flight pay, the Pentagon simply will not bother to do it.

Mr. Speaker, the distinguished chairman of the House Armed Service Committee, the gentleman from Louisiana (Mr. HÉBERT) has told the Pentagon in response to their letter that, "I believe we can accept your approach as consistent with the intent of the committee" unless the subcommittee which considered the flight pay bonus objects. As a member of the subcommittee, I, for one, do object. The Pentagon is trying to cheat the enlisted men out of a benefit ordered by Congress. It is very unfair to the enlisted men who have much lower salaries than the officers to be thrown off flight pay without any notice. When the Pentagon was arguing for continuous flight pay for officers they said that any cutoff of pay for the officers made it difficult for the officers to manage their finances. With lower salaries, flight pay is a relatively bigger chunk of any enlisted men's salary and its loss could mean real financial hardship for the enlisted man.

Flight pay for enlisted men ranges between $55 to $105 per month depending on rank and length of service. Officer flight pay ranges from $100 to $245 per month, again depending on rank and years of service.

The purpose of the 12-day cutoff notice is to give the lower paid enlisted men some warning that his takehome pay will be cut. The Pentagon should simply do what Congress intended and obey the language of the committee report.

POWERPLANTS AND THE PUBLIC

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. HAMILTON. Mr. Speaker, it has come to my attention that as many as five powerplants, both nuclear and conventional, are planned for construction in the general vicinity of Madison, Ind. In most cases, the utilities are still acquiring options on the land or have just completed that process.

Of course, Madison area residents are interested in these powerplants which will affect the future of southern Indiana, and many wonder how the public may provide input into decisions surrounding construction of these plants.

Recently I sent letters to a number of Federal agencies and Indiana and Kentucky State agencies, and asked them to describe any ways in which citizens may make known their views on these powerplants. I am inserting applicable portions of their responses:

U.S. DEPARTMENT OF AGRICLUTURE,
RURAL ELECTRIFICATION ADMINISTRATION,
Washington, D.C., May 24, 1974.

Hon. LEE H. HAMILTON,
House of Representatives.

DEAR MR. HAMILTON: This is in reply to your letter of May 15, 1974, concerning powerplants planned along the Ohio River near Madison, Indiana. REA would be involved with those plants only if our borrowers were also involved, and neither our Indiana nor Kentucky borrowers have any plans to build generating plants in the Madison area.

Information concerning generating plants planned for the Madison area may be obtained from the Indiana Public Service Commission in Indianapolis or the Federal Power Commission here in Washington.

We understand that the Public Service Company of Indiana has plans for a two unit nuclear plant in the Madison area. Information concerning this plant and the public hearings that are required in the licensing process could be obtained from the Company or the Atomic Energy Commission.

Please let us know if we can be of further assistance.

Sincerely,

DAVID A. HAMIL,
Administrator.

FEDERAL POWER COMMISSION,
Washington, D.C., June 7, 1974.

Hon. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HAMILTON:

* * * * *

Under the Federal Power Act, the Federal Power Commission has jurisdiction over the licensing of non-Federal hydroelectric power plants and transmission facilities directly associated with such plants. The Commission's regulations provide that a hearing upon an application for a license to construct such a plant may be ordered by the Commission, either upon its own motion or upon the motion of any party in interest. The courts and the Commission have construed "party in interest" very liberally in order to allow participation of the type to which you refer. However, the Federal Power Act does not give this Commission authority to license nuclear or fossil fueled electric power plants.

Nuclear electric power plants are subject to licensing by the U.S. Atomic Energy Commission, and it is its practice to hold public hearings as a part of its licensing procedure, generally at a location close to the site of the facilities proposed. AEC also invites written comments from Federal, State and local agencies and interested members of the public, on the draft environmental statements which describe in detail proposed nuclear projects.

In some states, a certificate of convenience and necessity is required from the state public utility commission before construction can start of a fossil or nuclear power plant. The Indiana Public Service Commission does not have the authority to require a certificate for construction of power plants in that state, however it may be advisable for interested parties to express their interest to that

Commission because of its authority in related matters.

Some utilities follow a practice of advising the public of its major construction plans, and we are informed that Public Service Company of Indiana has held several public informational meetings with regard to two nuclear power plants it proposes to build south of Madison, Indiana. These plants are tentatively scheduled for completion in 1983 and 1984. * * *

Very truly yours,

T. A. PHILLIPS,
Chief, Bureau of Power.

ATOMIC ENERGY COMMISSION,
Washington, D.C., June 5, 1974.

Hon. LEE H. HAMILTON,
House of Representatives.

DEAR MR. HAMILTON: Chairman Ray has asked me to respond to your letter of May 14, 1974, concerning the possible construction of five power plants, both nuclear and conventional, in the vicinity of Madison, Indiana, on the Ohio River. At the present time the Atomic Energy Commission does not have any information with respect to proposed nuclear power plants in the vicinity you mentioned. However, the American Electric Power Company advised us in January, 1974, that they have joined with the General Atomic Company to design a standardized high temperature gas-cooled reactor and that this design is expected to lead to the construction of a series of nuclear power stations by operating subsidiaries of the American Electric Power Company and possibly by other utility companies. Plans as to the number of units, site locations, and participation by other utilities are not yet final. American Electric Power Company is looking at several sites acceptable for this type of standardized plant and plans to submit site information to the AEC by the end of this year. There is usually a lapse of a considerable amount of time between selection of a site for a nuclear power plant and the filing of an application because of the voluminous amount of information which must be included for the AEC regulatory review with respect to both radiological safety and environmental impact.

There are several ways in which interested members of the public are kept informed of a proposed nuclear power plant and allowed to participate in the AEC licensing process. As soon as an application for a construction permit is received, copies are placed in the AEC Public Document Room in Washington, D.C. and in a facility, such as a public library, which is established near the proposed site. Copies of all future correspondence and filings relating to the application are placed in these locations and are available to every member of the public. Also, a press release announcing receipt of the application is issued by the AEC. If the application satisfies AEC requirements for a detailed review it is accepted and a notice of its receipt is published in the Federal Register. Copies of the application are sent also to Federal, State, and local officials.

The law requires that a public hearing be held before a permit may be issued for the construction of a nuclear power plant. After an application is accepted for review the AEC will issue and have published in the Federal Register a notice of the hearing which will be held after completion of the safety and environmental reviews. In addition, the hearing is advertised in several newspapers in the vicinity of the proposed facility and a public announcement is issued. The notice of hearing explains that interested members of the public may participate in the hearing by submitting written statements to be entered into the public record, by appearing to give direct statements as limited participants in the hearing, or by petitioning for leave to intervene as full participants in the hearing. At an early stage in the review process potential intervenors are invited to meet informally and discuss with the AEC Regulatory staff their concerns with respect to the proposed facility. * * *

Sincerely,

WILLIAM O. DOUB,
Commissioner.

ENVIRONMENTAL PROTECTION AGENCY,
June 5, 1974.

Hon. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

DEAR MR HAMILTON: Your recent letter to Mr. Russell E. Train concerning power plants along the Ohio River near Madison, Indiana was referred to our office for reply.

Please note that we have had a recent inquiry from Mr. A. Neil York, Executive Vice President, Greater Madison Chamber of Commerce. Mr. York's questions also concerned the siting of power facilities in that area, and we have attached a copy of our response.

The letter and attachments sent to Mr. York summarize the applicable laws, Federal standards and opportunities for citizen involvement.

In addition, we have recently completed a contract with Argonne National Laboratory which specifically addresses the impact of thermal discharges from power plants on the Ohio River. We anticipate that the final report will be printed by mid-July and we will be most happy to send you a copy. National Pollution Discharge Elimination System (NPDES) permits for water discharges from power plants along the Ohio River will be issued in the coming months. Public notices for these permits may be obtained from: Permit Branch, Environmental Protection Agency, 1 North Wacker Drive, Chicago, Illinois 60606.

These notices provide a 30-day period for public comment. In addition, a citizen may request a public hearing to address specific issues in the permit. It would certainly be appropriate for citizens of Madison and other affected areas to receive and comment on these permits. New power plants (those not yet constructed) will be required to meet applicable sections of state and Federal law as outlined in our letter to Mr. York.

If you have any further questions or would like any additional information, please let us know. Thank you for your inquiry.

Sincerely yours,

VALDAS V. ADAMKUS,
Acting Regional Administrator.

MAY 13, 1974.

Mr. A. NEIL YORK,
Executive Vice President, Greater Madison Chamber of Commerce, Madison, Ind.

DEAR MR. YORK: Your letter of April 9 concerning power plant developments in your area was referred to our office for reply.

With regard to the air questions you have raised, further information would be required before an adequate assessment could be made. Data on facility location, boiler size, fuel utilized and control equipment would be necessary for a complete technical analysis. Generally it can be said that the proposed concentration of power plants may have significant impact on air quality standards, thus a detailed analysis is a must before the proposals are finalized.

New power plants are subject to two requirements which may be of interest to you. The first is that new sources must receive approval from the respective state air pollution control agencies that such facilities will not interfere with the achievement or maintenance of the air quality standards. Contact on the appropriate review procedures should be made to the following agencies: Division of Air Pollution Control, Indiana Air Pollution Control Board, 1330 West Michigan Avenue, Indianapolis, Indiana 46206; Division of Air Pollution, Kentucky Department of Natural Resources & Environmental Protection, Capitol Plaza Tower, Frankfort, Kentucky 40601.

The second requirement deals with the Federal new source performance standards for fossil fired power plants. New sources must comply with the emission limitation upon start-up of the facilities.

With regard to the possible overheating of the Ohio River due to the large thermal discharges, we note that many of the new power plants are planning offstream cooling facilities. New power plants will be required to meet Federal New Source Performance Standards for steam electric power plants. The standards which have been proposed (they are not final yet) would require offstream cooling facilities. There is, however, a section of the Federal Water Pollution Control Act, Section 316(a), which allows a company an exemption from these requirements if the company can demonstrate that some alternate effluent system (i.e., once through cooling), will allow for the protection and propagation of aquatic life.

In addition, some existing power plants may also be required to go to offstream cooling under the proposed effluent guidelines. The application of these proposed guidelines to existing sources depends on several different factors including the age of the plant, size, and percentage of time it operates.

Both existing and new plants will, in addition, be required to meet the Indiana Water Quality Standards for the Ohio River including those standards for temperature. The 316(a) exemption described above also applies to existing sources. That is, if an existing plant can show that its thermal discharge allows for the protection and propagation of aquatic life, some less stringent requirement can be applied.

We will soon be preparing National Pollution Discharge Elimination System (NPDES) permits for those power plants along the Indiana portion of the Ohio River. * * *

If you have any additional questions or would like additional information, please write again.

Very truly yours,

DALE S. BRYSON,
Deputy Director, Enforcement Division.

ARMY CORPS OF ENGINEERS,
May 31, 1974.

Hon. LEE H. HAMILTON,
House of Representatives,
Washingon, D.C.

DEAR MR. HAMILTON: Your letter dated 14 May 1974 to Mr. Rogers C. B. Morton concerning approval for construction of power plants has been referred to this office for our response.

The following comments describe procedures pertinent to Corps of Engineers issuance of Department of Army permits in connection with construction of nuclear and fossil fuel power plants on navigable waters such as the Ohio River. Comments in regard to authority for construction of hydroelectric power projects are also included.

The basis for the Corps of Engineers involvement with both nuclear and fossil fuel plants is the requirement for approval of structures in or affecting navigable waters of the United States or for disposal of dredged or fill material in navigable waters. Such approval is granted through issuance of a Department of Army permit. The procedure in the case of approval for disposal of material requires notice and opportunity for public hearing. In the case of approval of structures, a public hearing is not required by law but a public meeting may be held if indicated to be warranted on the basis of response to public notice. Further opportunity for public participation is afforded by procedures associated with preparation and filing of environmental impact statements if one is required.

In addition, State and local governmental

agencies could, to varying degrees, be involved in approval for construction and operation of power plants. Also, in the absence of federal authority, State and local agencies may be the appropriate entities for consideration of the public interest in power plant siting.

Your letter does not appear to refer to hydroelectric power projects and I have no knowledge of any proposals for hydroelectric power plants on the Ohio River in the immediate vicinity of Madison, Indiana. However, as a matter of information, construction of hydro projects on navigable streams, if by non-federal entities, would require a license issued by the Federal Power Commission. Public notice of an application for license is issued by F.P.C. and in addition, the application is referred to interested agencies for comments and recommendations. Corps of Engineers construction of hydroelectric power facilities at Corps projects on the Ohio River would not require an F.P.C. license but the views of interested parties would be obtained under Corps procedures.

Inquires regarding Corps activities in the vicinity of Madison, Indiana should be referred to the Corps of Engineers District Engineer, Louisville, Kentucky.

I hope this information will be of value with respect to providing information of interest to your constituents.

Sincerely yours,

EARLY J. RUSH III,
Colonel, Corps of Engineers, Assistant Director of Civil Works, Upper Mississippi

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THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., June 24, 1974.

Hon. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

DEAR MR. HAMILTON: Thank you for your letter of May 15 inquiring about citizen participation with regard to the siting of power plants in the Madison area. This Department is not directly involved in approving the construction or operation of power plants. Such decisions are the responsibility of the Federal Power Commission and, in the case of nuclear plants, the Atomic Energy Commission. Both of these agencies have procedures that permit some public participation at various points within the decision-making process.

This Department does provide comments on the siting, development and operation of power plants, primarily through the Environmental Impact Statement process. Such Statements are written by the Federal agencies bearing primary responsibility for the action. Hopefully, the agencies involved will make the necessary arrangements for the public to review the cumulative impact of the five plants as well as the effects of each individual plant.

Sincerely,

CASPAR W. WEINBERGER,
Secretary.

PUBLIC SERVICE COMMISSION,
Indianapolis, Ind., May 22, 1974.

Hon. LEE H. HAMILTON,
U.S. Post Office,
Columbus, Ind.

DEAR CONGRESSMAN HAMILTON: . . . This Commission has historically held that it has no jurisdiction to approve or disapprove of plant location, although in all fairness I must say that there has not been complete unanimity of opinion among the Commission members over the years with respect to this problem. I have enclosed a copy of the most recent order of the Public Service Commission relating to the jurisdiction of the Commission in this area.

Any utility planning construction of a new plant naturally has to obtain the necessary approval of those bodies which do have statutory jurisdiction to approve or disapprove of plant location and construction, such as the various zoning authorities, Stream Pollution Control Board, Environmental Management Board, etc.

Yours very truly,

LARRY J. WALLACE,
Chairman.

STATE BOARD OF HEALTH,
Indianapolis, Ind., May 24, 1974.

Re Power Plant Siting.

Hon. LEE H. HAMILTON,
House of Representatives, Rayburn Building,
Washington, D.C.

DEAR CONGRESSMAN HAMILTON: This acknowledges your letter of May 15, 1974, relative to subject matter. This will serve to acknowledge similar letters directed to the Air Pollution Control Board and the Stream Pollution Control Board. We have responded to the Madison Chamber of Commerce's questions on this matter.

This office is concerned with the number of proposed plants along the Ohio adjacent to Indiana. The staff has met with two Indiana companies (Indianapolis Power & Light Company and Public Service Indiana) concerning proposed locations near Rising Sun and downstream from Madison. In addition, Indiana representatives to ORSANCO proposed that a study be undertaken of all existing and proposed plants along the Ohio River with respect to environmental factors. The ORSANCO staff, in cooperation with the Power Industry Advisory Committee to ORSANCO, is to undertake this study at once.

The Stream Pollution Control Board is concerned with discharges to watercourses with respect to temperature, water quality and consumptive use of water. Residents adjacent to proposed plants may offer comments to the Stream Board relative to these concerns. In addition the Environmental Management Board and the Air Pollution Control Board are responsible for other environmental concerns including air quality. Comment on all concerns registered with the State Board of Health will be directed to the proper Board.

We do not anticipate scheduling public hearings on this matter. However, if projects are to be considered by one of the above mentioned Boards, we will advise the local community so that requests for appearances may be made.

Sincerely,

WILLIAM T. PAYNTER, M.D.,
State Health Commissioner, Indiana State Board of Health.

DEPARTMENT OF NATURAL RESOURCES,
Indianapolis, Ind., May 20, 1974.

Hon. LEE H. HAMILTON,
House of Representatives, Rayburn Building,
Washington, D.C.

DEAR MR. HAMILTON: This is in response to your letter of May 15, 1974 expressing the concern of citizens of the Madison, Indiana area relative to planned and potential power plant development in the general vicinity of Madison.

As you know, the 1,303,560 KW Clifty Creek plant of the Indiana-Kentucky Electric Corporation is presently located at Madison and the 500,000 KW Ghent plant of Kentucky Utilities Company is located upstream at Ghent, Kentucky (opposite Switzerland County).

Public Service Indiana has acquired the "Marble Hill" site about six miles downstream from Madison and has announced its plans for construction of a nuclear plant thereon. At least one other Indiana utility is investigating potential sites in the general vicinity. We do not have specific knowledge of plans or proposals for plants on the Kentucky side of the river, but understand that such do exist.

The authority of this Department, through its Natural Resources Commission, relates to two general areas of power plant development. These are (1) the withdrawal of water from navigable streams (generally for cooling purposes) and (2) any plant construction in the floodway of a river or stream. This authority is exercised through a permit system.

The Commission does not normally hold "public hearings" in the usual sense of the word on permit matters, although it could do so if deemed necessary or desirable. Consideration of permit matters is normally handled at the regular monthly meetings of the Commission, at which any citizen has the right, and will be given the opportunity, to be heard on any given matter under consideration.

No formal applications for permit have yet been filed by any utility for a new plant in the Madison area and thus no time can be given as to when they will be considered by the Commission. However, any citizen may at any time request to be notified in advance of the date of Commission consideration and we will provide adequate notice so that they may be heard.

In addition to approvals by the Natural Resources Commission, permits from the Indiana Stream Pollution Control Board (with respect to water quality and solid waste disposal), the Indiana Air Pollution Control Board, and the Environmental Management Board (with respect to radiation control for nuclear plants) are also required and all these Boards provide for citizens to be heard.

Sincerely yours,

JOSEPH D. CLOUD, *Director.*

PUBLIC SERVICE COMMISSION,
Frankfort, Ky., May 17, 1974.

Congressman LEE H. HAMILTON,
Rayburn Building,
Washington, D.C.

DEAR CONGRESSMAN HAMILTON: **Chairman William A. Logan has requested that the undersigned respond to your letter of May 15, 1974, concerning the possible construction of power plants in the vicinity of Madison, Indiana.**

A utility seeking to construct such facilities in Kentucky would be required to obtain a Certificate of Convenience and Necessity from this agency—that is, authority to build **the power plant. The hearing would be held at which time the Commission would consider the demand and need of service and the economic and engineering feasibility.**

* * * * *

We will keep you advised.

Yours very truly,

RICHARD D. HEMAN, Jr.,
Secretary.

BUREAU OF ENVIRONMENTAL QUALITY,
Frankfort, Ky., May 31, 1974.

Hon. LEE H. HAMILTON,
Congress of the United States, House of Representatives, Rayburn Building, Washington, D.C.

DEAR MR. HAMILTON: This is in response to your letter of May 15, 1974, concerning the construction and operation of electrical generating facilities within the Commonwealth of Kentucky. At the present time our Division of Air Pollution has regulations which provide the complete review of all plans and specifications of a proposed power plant. It must be determined that the construction or modification of any such facility will be consistent with all ambient air quality standards both primary and secondary prior to the issuance of the mandatory construction permit. It is my understanding that most states have similar regulatory provisions.

Presently there are no pending applications for construction permits to construct their electrical power generating stations in Ken-

tucky, however, I have heard talk regarding the construction of several. With regard to public participation of public hearings, it is my understanding that prior to the issuance of any construction permit regarding a point source of this nature that federal regulations require a period for public comment. There are no public hearings scheduled at this time because as stated above we have no official knowledge of proposed construction.

If I can be of further assistance to you in this matter, please do not hesitate to advise.

Sincerely yours,

HERMAN D. REGAN, Jr.
Commissioner, Bureau of Environmental Quality.

AIR FORCE CONTRADICTIONS

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ASPIN. Mr. Speaker, the Pentagon has given Congress contradictory and misleading information on the capabilities of a new, highly effective jet fighter—the Enforcer—which is an attractive alternative to A–10 close-air-support aircraft.

Recently released House Armed Services Committee testimony about the Enforcer presented by Air Force Gen. W. J. Evans is so misleading and in part, untrue, that I have no choice but to conclude that his actions were deliberate.

Each Enforcer costs slightly more than $1 million while the cost of the A–10 is $3.4 million per aircraft. Current Air Force plans include a buy of 729 A–10's to support ground combat troops at a total cost of approximately $2.4 billion.

Mr. Speaker, General Evans told the House Armed Services Committee on April 5 that "the range of the aircraft—the Enforcer—is limited." But, Mr. Speaker, I am publicly releasing an Air Force factsheet on the Enforcer which shows that its aircraft's range is 3,075 miles—475 miles greater than the range of the A–10.

General Evans also complained that the Enforcer could not take off from short runways. The same Air Force factsheet shows that the Enforcer needs only 1,100 feet to take off compared to the A–10's 3,020 feet.

I am publicly releasing a detailed summary of all the major contradictions in the various Air Force presentations on Enforcer, including the aircraft's speed, landing distance, and number of bomb stations. With so much contradictory evidence produced by the Air Force, it seems clear that the case of the Enforcer and its rival, the A–10, should be reviewed. One possibility would be for the Air Force to conduct a flyoff between the two planes to determine which one, given its cost, would be the most effective. Since each A–10 is three times more expensive than the Enforcer, the Enforcer seems to be an attractive alternative to the A–10. In fact, I think it may be difficult for the Air Force to prove that the A–10 is three times better than the Enforcer.

The Enforcer which is a single-engine jet prop, was developed by Florida publisher David Lindsay. Deputy Defense Secretary William Clements recently said that the Enforcer had "met the general performance claims made by the offeror." Mr. Clements' statement further confuses the issue because Lindsay has claimed that the Enforcer has a maximum speed of 403 knots per hour—faster than the A–10—while the Air Force says the Enforcer flies 330 knots per hour—slower than the A–10.

The only way for the Congress to determine the facts is to order a complete series of flight tests for the Enforcer and compare it to the A–10.

As many of my colleagues know, Defense Secretary James R. Schlesinger has suggested that the Pentagon should buy cheaper, more simple weapons. The Enforcer may just fit the bill for a highly effective and relatively cheap aircraft.

The Air Force's contradictions follow:

AIR FORCE CONTRADICTIONS

RANGE

Air Force Statement: "The range of the aircraft is limited." (Gen. Evans, House Armed Services Subcommittee, April 5, 1974).

Contradiction: Enforcer range is greater (3075 miles) compared to A–10's (2600 miles). (Air Force Fact Sheet, June 1974).

SURVIVABILITY

Air Force Statement: Q: Does it (Enforcer) have less survivability than the A–7?

A: I would say yes. (Gen. Evans, House Armed Services Subcommittee, April 5, 1974).

Contradiction: Detailed study by Joint Technical Co-Ordinate Group of the Naval Air Systems Command reveals that the Enforcer is less vulnerable to 23mm, 57mm and SA7 missile than A–7. (DDR&E Fact Sheet, June 1974).

TAKE-OFF

Air Force Statement: "The ability to take off from unimproved short strips with heavy bomb load is extremely limited." (Gen. Evans, House Armed Services Subcommittee, April 5, 1974).

Contradiction: Enforcer take-off distance (at full weight) is 1100 ft. compared to 3020 ft. for A–10. (Air Force Fact Sheet, June 1974).

MAXIMUM SPEED

Air Force Statement: Enforcer's maximum speed is 330 knots—slower than the A–10. (Air Force Fact Sheet, June 1974).

Contradiction: Enforcer's maximum speed is 403 knots—faster than the A–10 maximum speed of 390 knots. (David Lindsay, Enforcer Developer).

LANDING DISTANCE

Air Force Statement: Landing distance is 3000 ft. for the Enforcer at maximum weight—longer than A–10's of 2140 ft. (Air Force Fact Sheet, June 1974).

Contradiction: At normal landing weight Enforcer needs a shorter runway (880 ft.) compared to 1050 ft. for A–10. (Data provided by Air Force Office of Legislative Affairs, June 1974).

ENGINE

Air Force Statement: Enforcer will be powered by 3445 horsepower engine. (Air Force Fact Sheet, June 1974).

Contradiction: Enforcer will be powered with 2950 horsepower engine. (David Lindsay, Enforcer Developer).

BOMB STATIONS

Air Force Statement: Enforcer has 6 bomb stations. (Air Force Fact Sheet, June 1974).

Contradiction: Enforcer has 10 bomb stations. (From Air Force Office of Legislative Affairs, June 1974).

72.5 PERCENT SAY PRESIDENT SHOULD STAY

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. LANDGREBE. Mr. Speaker, a poll taken recently by the Lafayette, Ind., Journal and Courier resulted in a tremendous show of support for the President. Recent actions of the Democratic members of the Judiciary Committee will no doubt strengthen the view, present in this poll, that the Watergate investigation has been a biased, vengeful attack on President Nixon and a denial of the accomplishments of his administration. I refer to the Judiciary Committee's attempt to waive the 5-minute rule for questioning impeachment hearing witnesses, Chairman RODINO's alleged comment that all 21 of the committee's Democrats would, in his estimation, support a vote of impeachment, and the refusal of the Democrats to summon all 6 of the witnesses recommended by James St. Clair, defense counsel.

I call the attention of my colleagues to the June 10 poll by quoting excerpts from the Journal and Courier. Special note should be taken of the student poll.

EXCERPTS FROM POLL

(By Robert Kriebel)

This is still Nixon Country.

Not much question about it when you sift through responses to the Journal and Courier's June 10 ballot on the question: "What Do You Think of Nixon Now?"

Out of 1,574 replies, a total of 1,143 said Nixon should stay on the job.

That's 72.5 per cent.

A total of 362 persons turned in ballots saying that President Nixon should be the object of impeachment proceedings by the Congress. This represented 23.1 per cent of those who returned ballots.

And 69 readers said the President should resign, or 4.4 per cent.

And in over 150 accompanying notes, cards and letters explaining ballots, readers went on to say Nixon has been an excellent President and critics should get off his back.

Many respondents said they felt Democrats in Congress, Communists, and the news media have combined to force the issue of Watergate into far more prominence than it is worth, and that too few people recognize Nixon Administration accomplishments or show a willingness to face real domestic issues like the rising cost of living or energy shortages.

"Never have we had a President that has done as much for our country or has been treated so dirty," one reader said.

"We appreciate what our President has done so far," wrote another. "Such as peace with honor in Vietnam, bringing home POWs, ending the draft and the leadership for world peace, to name a few."

"Last year at this time, in response to your poll," another reader wrote, "I was in full support of President Nixon.

"Today my position has not changed. There have been many new revelations since last year and I must confess I have had doubts of President Nixon's innocence several times.

"But these short moments of doubt have always been followed by long periods of full trust and confidence in my President."

A man and wife in a joint letter from Fowler wrote: "We think the President is a great one, and it (Watergate) is all political.

The news media and television are so unfair to him, especially the 'Today' television program."

"Since we take only one Journal and Courier my husband used the ballot provided," one woman wrote. "I would also like to vote and say STAY ON THE JOB! I am sick, sick, sick of Watergate."

A West Lafayette reader wrote: "It was with great wisdom and statesmanship that the founders of our great country divided the powers of government into executive, legislative and judicial departments.

"But today, not yet 200 years from our founding, our people in Washington, in fact government people everywhere, are not statesmen at all, but are a bunch of vulture-like politicians engaged in a struggle for power and picking the meat from each other's bones.

"President Nixon should stay on the job and defend the office to which he was elected."

And a Kentland woman opined: "I would like to see everyone who is investigating Mr. Nixon investigated also. So far as I know, only one perfect man has walked this earth. Right?"

Another subscriber wrote from Lafayette: "Congress should get off his back! I can't see why the taxpayers have to pay all those men to nit-pick at the President."

The heavy support for President Nixon almost duplicated the results of a Journal and Courier reader survey in June, 1973. In that one, 1,106 persons sent in ballots with 801, or 72.4 per cent, saying the President should stay on the job.

A year ago 193 persons called for resignation compared to 69 this year. Last year 112 persons recommended impeachment compared to 360 this year.

Both surveys were conducted on the same basis—that of a "straw vote" by interested readers. Neither, consequently, necessarily reflects what a more scientific sample of area residents might show.

And as in 1973, the poll itself was the object of a few comments.

One woman wrote: "May I stand up and cheer? Once for my country, once for my President, and once for the Journal and Courier for publishing this ballot for the little people."

STUDENT POLL BACKS NIXON, TOO

Lafayette area students responding to a poll favor President Nixon's staying in office.

The students took part in a nationwide student opinion poll on the question. In the Lafayette area, about 53.5 per cent favored the President's remaining in office, while 8.5 per cent were undecided.

The survey indicates that young people in this area are somewhat more favorably disposed toward the President than are students nationwide.

More than 130,000 students in all parts of the nation took part in the poll. The vast majority of the students are in grades 5 through 12.

Nationwide, students seem evenly split on the question. About 41.6 per cent felt Mr. Nixon should remain in office, 42 per cent thought it would be best for the country if he were out of office, and 16.4 per cent were undecided.

The poll was conducted by the Journal and Courier and 220 other daily newspapers in cooperation with Visual Education Consultants, Inc., of Madison, Wisconsin. The survey was part of a current events program that these newspapers give to schools in their areas. The Journal and Courier provides the program to 10 schools in this area. The program includes weekly filmstrips of news photos, together with discussion materials written on several levels of difficulty, for students of varying ages.

THE CONSIDERATION OF MAJOR COMMITTEE REORGANIZATION BLOCKED

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. McCOLLISTER. Mr. Speaker, arbitrary and dictatorial action by less than half the 247 Members of the Democratic caucus has blocked consideration of major committee reorganization which would make the Select Committee on Small Business a standing committee in the House.

On a secret ballot, Democrats voted 111 to 95 to send the resolution to a subcommittee of the Democratic caucus for further study. This move by a mere one-fourth of the Members of the House, designed to kill the measure or at least substantially weaken it, is a perfect example of the Democratic lipservice paid to reform with no actions to back it up. Apparently self-interest won out for those who might lose influence, because of jurisdictional shifts.

Support of the changes by most of the Republicans and the Democratic leadership gave the revisions a fair chance if they had reached the House floor. But the Democratic Rules Committee members are bound by the caucus not to give it a rule before the subcommittee makes its recommendations in July.

The bipartisan select committee, co-chaired by RICHARD BOLLING of Missouri and Nebraska's DAVE MARTIN, worked more than a year on the changes before unanimously approving them. While I do not agree with every one of the jurisdictional shifts, there are many other important reforms which could be lost by the Democrats' maneuver.

The overriding purpose of reorganization is to balance and realine workloads according to current national interests. The most important change, I believe, would be to make Small Business a standing committee with legislative authority over the Small Business Administration, in addition to the oversight authority it already has. This revision, which is strongly backed by the National Federation of Independent Business, would give small business the voice it deserves in the legislative process.

It seems that often legislation is written with the idea of regulating big business, but it is the little guy who must bear the costly and time-consuming paperwork burden these laws impose. This makes small business even less competitive and puts them at a further disadvantage. It is the competition which small firms provide that make them vital to maintaining our free enterprise system.

The sheer size and impact of the American small business community merits more effective representation than it receives presently. Small business accounts for 96 percent of all business in the United States, 60 percent of the private nonagricultural force, 37 percent of the gross national product, and 20 percent of business taxes paid.

Under the current system, the jurisdiction is split between the select committee and a Subcommittee of Banking and Currency. This subcommittee, while giving plenty of attention to small business problems, still does not have a permanent staff.

This realinement would assure small firms that their interests were being represented and special problems considered in the legislative process. Democrats should be required to go on record with their support or negative vote on this issue so people will know which Members are willing to make Congress more accountable to those who elected them.

CANADIAN NATURAL GAS PIPELINE ROUTE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. ASPIN. Mr. Speaker, I have introduced a resolution, House Resolution 1204, which urges a speedy conclusion of the negotiations between the United States and Canada on terms for building a Canadian natural gas pipeline route.

This resolution seeks an agreement between the two governments before the end of the year. The United States and Canada must formulate an agreement which will guarantee access to Alaskan natural gas and also permit Canadian transport of some gas produced in Canada.

Mr. Speaker, there are already signs of needless bureaucratic delay in approving the pipeline. Canada's National Energy Board which must approve the pipeline has already put off until next year any consideration of the pipeline which will carry Alaskan gas via Canada's Mackenzie Valley to the U.S. Midwest. Both the U.S. Interior Department and the Federal Power Commission also must approve this pipeline project.

To combat future energy crunches, this pipeline should be built as soon as possible. Natural gas is the most environmentally clean and economical fuel available to American consumers. A consortium of companies known as Arctic Gas has filed a formal application with the United States and Canadian authorities to build the pipeline through Canada. But, El Paso Natural Gas also plans to file an application to build a natural gas line across Alaska, with the gas liquified and transported to the U.S. west coast on supertankers.

Mr. Speaker, the Canadian route is clearly superior both economically and environmentally. If the Alaska route is built and gas liquified for tanker shipment, about 12 to 20 percent of the gas is lost during the liquification process. With an energy crisis confronting us for many years to come, it is very foolish to waste gas by converting it to liquid for shipment.

Environmentally, the shipping of natural gas is more dangerous than transporting it by pipeline. If a tanker leaks

liquid gas which is super cool—200° F—there can be a catastrophic explosion.

Mr. Speaker, a Canadian natural gas pipeline is the cheapest way to solve the Midwest's long-term crisis.

CAN THE POT REALLY CALL THE KETTLE BLACK?

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. CARTER. Mr. Speaker, during the past year we have heard Members of this fearless forum call for resignations, speak of large and larger donations, while holding themselves apart and piously pointing a finger at the accused. At long last, the media has reported findings of the Watergate Committee which implicate this group in receiving illegal corporate contributions, and in questionable transfers of funds from presidential to senatorial campaigns.

It has been said that people who live in glass houses should not throw stones, and again, "let him who is without sin cast the first stone." Perhaps "The Prophet" by Kahlil Gibran has very aptly explained that none of us is without guilt. I include the following words from "The Prophet":

Oftentimes have I heard you speak of one who commits a wrong as though he were not one of you, but a stranger unto you and an intruder upon your world.

But I say that even as the holy and the righteous cannot rise beyond the highest which is in each of you, so the wicked and the weak cannot fall lower than the lowest which is in you also.

And as a single leaf turns not yellow but with the silent knowledge of the whole tree, so the wrong-doer cannot do wrong without the hidden will of you all.

Like a procession you walk together toward your God-self.

You are the way and the wayfarers.

And when one of you falls down, he falls for those behind him, a caution against the stumbling stone.

Yea, the guilty is oftentimes the victim of the injured.

And still more often the condemned is the burden bearer for the guiltless and unblamed.

You cannot separate the just from the unjust and the good from the wicked;

For they stand together before the face of the sun even as the black thread and the white are woven together.

And when the black thread breaks, the weaver shall look into the whole cloth, and he shall examine the loom, also.

I include for the RECORD the following news report by James R. Polk, as well as an article by Brooks Jackson from the Washington Post. Also included are two other articles regarding the recent Watergate committee report.

The articles follow:

MCGOVERN CASH DIVERTED

Sen. George S. McGovern's losing presidential campaign was asking its creditors to discount its debts at half-price at the same time it was shifting a huge surplus of money into his Senate re-election race, Watergate investigators said today.

A staff report for the special Senate Watergate committee said $35,000 in discounts from companies may have violated the spirit of the law against corporate campaign donations.

Also revealed in the new report was a plan by officials of Hertz Corp. to pay for rental cars for the presidential campaign of Sen. Edmund S. Muskie, D-Maine, and the use of a safe deposit box for hidden cash funds for another Democratic loser, former New York Mayor John V. Lindsay.

A New York highway official solicited $10,000 in cash as a Lindsay donation from officers of two road firms which later got a $1.7 million asphalt contract from the city, the report said.

Watergate probers said $340,000 left over from McGovern's presidential race was transferred to his Senate campaign unit last year. This is roughly one-third of the $1 million McGovern has already spent in his re-election fight in South Dakota.

Meanwhile, McGovern's presidential campaign spokesmen were telling creditors that they were hard-pressed for money and were getting partial write-offs on bills owed to Xerox Corp., International Business Machines, and various hotels across the country, the Watergate report showed.

A McGovern spokesman said last night that the presidential race had tried to settle its bills for less than the full amount because it needed money for possible federal taxes.

However, public reports show the McGovern presidential race still has $400,000 in reserve to meet any tax obligations.

Another section of the report said Hertz Corp. supplied rental cars for Muskie campaign workers, then apparently arranged to pay legal fees to attorneys who made campaign donations for Muskie to wipe out those bills.

It quoted a former Hertz lawyer, Sol M. Edidin, as testifying that the company's chairman, Ronald Perman, authorized the payments to attorneys for the donations. The investigators found $4,850 in legal bills with Perman's initials on them.

The cash collected from asphalt contractors for the Lindsay campaign was delivered by another highway official to former deputy mayor Richard Aurello, according to the Watergate report.

The cash donations were collected while the Lindsay campaign was trying to meet its debts after falling apart early in the 1972 race. However, the contractors' $10,000 was not listed on required public filings, the report said.—JAMES R. POLK.

[From the Washington Post, June 28, 1974]

MCGOVERN HILL RACE ENRICHED

(By Brooks Jackson)

Sen. George McGovern (D-S.D.) enriched his South Dakota Senate campaign by $340,416.96 in leftover funds raised for his 1972 presidential campaign, according to a staff report to the Senate Watergate committee.

At the same time, McGovern's presidential campaign committees have settled leftover bills from 37 corporations for $35,322.32, less than the full amounts, the report said.

It said this raises a question of whether the McGovern campaign violated at least the spirit of the federal law forbidding corporate donations to federal political campaigns.

A spokesman for McGovern said the leftover presidential money had been transferred on specific instructions from state and local McGovern campaign committees which left McGovern no choices in the matter.

He also said the presidential campaign committee had tried to settle some of its leftover bills for less than the full amount, because the Internal Revenue Service has told the committee it might owe hundreds of thousands of dollars in gift taxes on contributions.

The spokesman, John Holum, said McGovern would contest the Watergate committee staff's language and try to keep the senators from adopting it. He said that if in the end it is found that there was something wrong with underpaying the corporation bills, "We'll pay anything that has a cloud over it."

In another section of the same report, the committee's staff said the presidential campaign of former New York City Mayor John V. Lindsay received $10,000 in cash from two construction contractors who later had city asphalt contracts worth $1.7 million.

The report said the $10,000, in $20 bills stuffed into an envelope, passed through the hands of Lindsay's top campaign aide, former Deputy Mayor Richard Aurelio, and cannot be accounted for.

The staff report was circulated to members of the committee yesterday and has not been adopted formally by the Senate panel.

In the McGovern matter, the report said leftover presidential money started flowing from five McGovern committees into the Senate campaign within two weeks after McGovern was defeated by President Nixon on November 7, 1972.

The transfers continued for more than a year. The last one was $7,054 last December 30.

The report said that during this period the McGovern national presidential treasurer, Marian Pearlman, was sending letters to presidential campaign creditors asking them to settle bills for 50 cents on the dollar.

"We do not at this time have enough money to pay all our debts," said her letter dated December 15, 1972. The report said Watergate committee investigators discovered that Xerox Corp. had written off a total of $9,606.02 as uncollectible debts owed by the McGovern campaign. This was the largest unpaid bill cited by the report.

HUMPHREY DENIES MISUSE OF FUNDS IN 1972 CAMPAIGN

Sen. Hubert H. Humphrey, stung by a Senate Watergate Committee staff report on his 1972 presidential campaign finances, says he did nothing illegal in using more than $100,000 of his own money in his campaign and concealing that fact from the public.

"With the Lord Jesus Christ as my guide, that was as honest a deal as kissing your mother," the Minnesota Democrat said.

Humphrey, in a sometimes emotional telephone call late last night to an Associated Press reporter said the money represented "a lifetime of investment" by himself and his wife Muriel.

Humphrey said he omitted any mention of the use of personal funds when he voluntarily disclosed his finances during Democratic presidential primaries because at that time the law didn't require full disclosure and because he wanted to conceal the matter from his family.

"I didn't like to have to contribute that money, but we had to do it if we were going to campaign," he said.

Humphrey said the Watergate staff report was written by a Republican staff member, Donald Sanders, and he said he resented the tone and implications of the report. "It just ends up that you look like a burglar," he said.

The report said Humphrey ordered the transfer of $89,000 in stock and $23,000 in cash from a blind trust into the presidential campaign during January and February of 1972, two months before a new federal law made it illegal for a presidential candidate to use more than $50,000 of his own funds in a campaign.

Humphrey said the stock actually was worth somewhat less, $88,000, putting the total amount of personal funds used at $109,000.

Rep. Wilbur Mills of Arkansas also vigor-

ously denied wrongdoing in response to allegations in the draft report on fund raising.

"This is just a leak to smear me," said Mills. He contended that he hadn't responded to a request to appear before the Senate committee's staff because "a member of Congress does not appear before a staff."

Mills acknowledged receiving money from milk cooperatives but said he had reported all of it. Humphrey said he had no knowledge of a $25,000 milk fund contribution he was asked about, and that he had told the committee staff this.

HUMPHREY SCORES FUND ALLEGATION

Sen. Hubert H. Humphrey denounced yesterday a Senate Watergate committee stafi report that said $360,000 in stock was funneled into his 1972 campaign as "filled with innuendoes and inaccuracies."

The staff report said that the Minnesota Democrat's 1972 presidential campaign received the stock in the Archer-Daniels Midland Co., a Minneapolis soybean firm, in early 1972. About $90,000 worth of the stock came from a trust for Humphrey administered by Dwayne Andreas, the head of Archer-Midlands, and the rest from Andreas, his daughter and a friend.

The donation of the stock to the Humphrey campaign committee was an apparent violation of the then-existing federal election law, which prohibited individual contributions of more than $5,000 to a single campaign committee, the report said.

Humphrey said the report is "simply a working draft . . . on which changes may yet be made" and contains "unsubstantiated charges." He said he had not seen a copy of the report but based his opinion on news accounts of the staff's findings.

The report said the staff's inability to interview Humphrey had prevented it from making a full and complete investigation.

MRS. MARTIN LUTHER KING, SR.

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. GILMAN. Mr. Speaker, yesterday's senseless act of violence in Atlanta's Ebeneezer Baptist Church, resulting in the death of Mrs. Martin Luther King, Sr., should remind our Nation of the quest for brotherhood for which her son, the Rev. Dr. Martin Luther King, Jr., gave his life in 1968.

This wanton destruction of life should bring realization to our Nation that we are falling short of some of the lofty goals and ideals proclaimed some 200 years ago by the courageous men who founded our Nation: goals of freedom, equality, opportunity, and justice for all.

Our Nation is weary of violence. Yet, daily it confronts us anew.

We have survived a decade of killing and of civil strife. It is time to leave it behind.

If there is a lesson to be learned from Mrs. King's tragic death, let it be a reminder to our Nation that there is still much to be done, that we must work even harder, devote ourselves even more, give still more of our effort, to eradicate the creed of destruction, inhumanity and bigotry from our great land, once and for all.

I am sure my colleagues join with me in expressing our deepest heartfelt condolences and sorrow to Mrs. King's family.

MILITARY JUSTICE?

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mrs. SCHROEDER. Mr. Speaker, President Nixon's recent nomination of Colorado Supreme Court Justice William Erickson for the position of Chief Judge, U.S. Court of Military Appeals—COMA—reflects a healthy awareness of the importance of COMA to the more than 1.7 million men and women now in uniform. Justice Erickson is a distinguished jurist who will, I am certain, show the needed sensitivity for the constitutional rights of those prosecuted for alleged military-related offenses under the Uniform Code of Military Justice—UCMJ. Judge Erickson's nomination fills one of two vacancies on the three-member court. I would earnestly hope that the second appointee reflect the same excellent qualities. I would further hope that increased public attention be focused on COMA which serves as a vital bridge between military personnel and the U.S. Constitution.

Since its creation in 1951 COMA has done much to eliminate the system of "drumhead justice" which had previously left servicemen and women accused of criminal activity substantially at the mercy of their commanding officers. It is not too long since the days when a distinguished former Governor of Vermont was excused from further court martial duty for falling to vote conviction for a black serviceman accused of a morals offense. Nor have very many years gone by since the law of the land was that military personnel had no constitutional rights other than those expressly provided through congressional enactment of the UCMJ itself. This frightening principle had its roots in the philosophy restated only weeks ago by the Supreme Court in the case of Parker against Levy to the effect that:

> The military is an executive arm whose law is that of obedience.

Since more than 28 million Americans have served in the Armed Forces since the outbreak of World War II, it hardly needs to be stated how widespread the abuses were that grew out of such a philosophy. Even today the notion that the Constitution and Bill of Rights generally extend to servicemen and women is grounded in COMA interpretations of congressional intent rather than a definitive pronouncement by the Supreme Court.

Over the years COMA has extended certain procedural rights to military personnel that those of us in civilian life take for granted. Protections against self-incrimination and double jeopardy have been written into military law during the past two decades. So have the right to counsel, to confront and cross-examine witnesses, to summon witnesses of one's own, and to have one's case tried speedily.

But vast areas of constitutional protection remain foreign to the military environment. Bail prior to conviction or pending appellate review is virtually unheard of. The degree to which the first amendment confers the right of free speech on servicemen and women—even those off base and out of uniform—is far from settled, and to the extent it is settled, the picture is bleak in terms of free speech. Moreover, the catchall term, "military necessity," has been employed to virtually write the fourth amendment out of the lives of military personnel. Random shakedowns for marihuana and other drugs are far from uncommon on military bases. Also, under the doctrine of alleged military necessity, military police accompanied by trained marihuana dogs enter barracks areas substantially at will searching for contraband without the slightest thought or showing of probable cause.

Part of the problem rests with the traditional all-or-nothing approach of the Supreme Court wherein the justices have been quick to limit the jurisdictional overreach of military tribunals but slow to apply commonsense principles of constitutional law to military cases. It is shocking but true that even today it is far from certain whether the Supreme Court has interpreted itself as having the power to overrule legal and factual determinations by reviewing military courts.

Typical was the recent decision involving Capt. Howard Levy, during 1965 and 1966 the Chief of Dermatology at the U.S. Army Hospital, Fort Jackson, S.C. Captain Levy strongly opposed the war in Vietnam. He refused orders to train special forces aides for Vietnam duty, publicly criticized the special forces, indicated an unwillingness to serve in Vietnam himself, and urged black soldiers not to fight there either. He was convicted under three separate UCMJ articles only one of which specifically provided punishment for failing to obey a lawful order. The key issues in his case involved the validity of article 133 which proscribes "conduct unbecoming an officer and a gentleman," and article 134—the so-called general article—which prohibits "all disorders and neglects to the prejudice of good order and discipline," and "all conduct of a nature to bring discredit upon the Armed Forces."

Mr. Speaker, at issue is not the specific conduct of Captain Levy or any other member of the Armed Forces, but the vague and general wording of the code to which they are subject. In the past these articles have been employed to punish conduct as diverse as cheating at cards or bingo, failing to pay debts, committing adultery, officer drinking with enlisted men, exhibiting an American flag with a peace symbol on a shirt, possession of alcoholic beverages in a public place, and committing a bestial act with a chicken.

Again, some or all of these activities ought to be subjected to criminal penalties if specifically set forth in the code. But in no other jurisdiction in the country, State or Federal, would statutes

worded as loosely as articles 133 or 134 have survived a minute of judicial scrutiny.

The evils such judicial laxity leads to is well exhibited by a second case, Secretary of the Navy against Avrech, now awaiting Supreme Court decision. PFC Mark Avrech enlisted in the Marine Corps in 1967 and was assigned to duty in Danang, South Vietnam, in 1969. After 40 days in the country he became disenchanted with the lack of fighting spirit and corruption exhibited by our South Vietnamese ally and set forth his feelings in a short statement, the most "inflammatory" words of which were as follows:

We must strive for peace and if not peace then a complete U.S. withdrawal. We've been sitting ducks for too long.

He was apprehended while attempting to stencil his statement which he then wished to circulate among the men in his company.

For this Private Avrech was convicted not of violating article 34 but of attempting to violate it. He was sentenced to a reduction in rank, forfeiture of 3-months pay, and confinement at hard labor for 1 month, the latter portion of his sentence suspended. Having already upheld the validity of article 134 in the Levy case the Supreme Court must now say that a military court improperly applied the law—something it has never before held—or acquiesce in this lawless and reprehensible treatment of a U.S. citizen.

The uncertainty of Supreme Court review arises from the status of COMA itself. COMA is an article II rather than an article III court. Its place in the Federal judiciary is at best marginal. Further, it can itself review only cases involving a general or flag officer or a sentence of death, cases certified by the Judge Advocate General, and cases involving a sentence of dismissal or discharge or confinement for 1 year or more. Many arbitrary actions at the administrative level escape its notice altogether.

Obtaining an enlightened COMA has also been hampered by the quality of past appointments. Too often nominations to COMA have been regarded as the exclusive province of the House and Senate Armed Services Committees, and the Military Establishment. Of the seven men who served on COMA prior to the nomination of Justice Erickson, two came directly from the staffs of congressional military committees, all but one had backgrounds in the Military Establishment, four had previous civilian judicial experience, and only one had a legal academic background. Small wonder that shortly after its creation Mr. Justice Black could say:

We find nothing in the history of constitutional treatment of military tribunals which entitles them to rank along with Article III courts as adjudicators of the guilt or innocence of people charged with offenses for which they can be deprived of their life, liberty or property.

A decade and a half later, the situation had improved somewhat, but not all that much. In the words of Mr. Justice Douglas:

While the Court of Military Appeals takes cognizance of some constitutional rights of the accused who are court-martialed courts-martial as an institution are singularly inept in dealing with the nice subleties of constitutional law.

Mr. Speaker, in addition to the importance of naming a distinguished civilian to fill the remaining COMA vacancy, I would urge serious thought be given to a number of structural reforms which can only be accomplished by legislation. These would include increasing the COMA membership to five, seven, or even nine judges, bringing it into the Federal court system, expanding its jurisdiction to embrace the full panoply of military justice proceedings, transferring consideration of COMA nominees from the Senate Armed Services to the Senate Judiciary Committee and expressly providing for the review of COMA decisions by the Supreme Court.

It is time the wall between the Constitution of the United States and armed services personnel was broken down.

THE AMERICAN CONSTITUTION

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. LANDGREBE. Mr. Speaker, I would like to call to your attention and to the attention of my colleagues the following thoughts on the American Constitution as we approach the celebration of our Nation's birthday:

[From the pamphlet, The American Spirit]

THE AMERICAN CONSTITUTION

The American Constitution would be unworkable unless the people were self-reliant, self-determined, and resourceful. There are nations who do not care for these things and do not possess them. I suppose we all have our favorite virtues. My own are self-reliance, initiative, resourcefulness, courage. I like these things better than anything else, there are people who do not, and there are nations which do not. There are nations, for example, whose people like to be directed and ordered about, who like to be led everywhere and told what to do, and where and when to do it. Such people can do great things in the world through mass action, but they could not work such a constitution as ours. This Constitution calls for people who prefer to take care of themselves. It is intended for the kind of men and women who desire to manage their own lives, and take their own risks, and fend for themselves, and be personally independent—and these very things are just the outstanding characteristics of the majority of American people.

But notice that, among other things, this policy means that there is sure to be a certain amount of suffering because, when we are free we always make some mistakes. A convict in prison has very little chance to make mistakes. He is told when to get up, and when to go to bed, is given his food and obliged to eat it. He is told what clothes to wear, what work to do, and how he is to do it. He is taken out into a yard for exercise and when it is thought he has had enough exercise he is taken back. He can hardly go wrong, he can hardly make a mistake, but neither, of course, does he ever learn anything. A free man will make mistakes, and he will learn by them. He will suffer, but suffering is worth while when you learn something. When you are not free you cannot learn, and so the suffering is only wasted.

Note very particularly that the Constitution does not guarantee equality of lot. You cannot have equality of lot, because human nature varies. No two men have the same character. No two men have quite the same amount of ability. Again, some will have less talent but abut a strong character, and go to the top for that reason. Other men—we all know some of them—have great talents but character is lacking, so they remain at the bottom. This being so, there cannot be, equality of lot, but there can be, and there is in America, true equality, which is equality of opportunity.

H.R. 11500

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mrs. MINK. Mr. Speaker, I am appalled by the level of criticism being directed at the Surface Mining Control and Reclamation Act, H.R. 11500, by the National Coal Association. A recent press release by Carl Bagge, president of the association is replete with inaccuracies and distortions regarding the bill. It is incredible that a representative of so great and important an industry should resort to this type of rhetoric, employing scare tactics and outright misrepresentations which require sober assessment.

Mr. Bagge begins his statement with an unsubstantiated claim that, because surface mining accounts for 60 to 70 percent of coal used by electrical utilities, passage of H.R. 11500 could cut the Nation's power supply by one-third.

How does Mr. Bagge come up with such figures? Apparently, he conjures them up from a gross misreading of the bill.

First, he makes the transparently absurd statement that a provision in the bill—section 206—which would require the States to institute a program for designation of areas unsuitable for coal surface mining could wipe out all coal surface minings. Each State government is seen as designating all the land within its boundaries as unsuitable. In fact, the designation section of the bill merely requires the States to institute a planning program. It does not require any State to actually designate 1 acre of land as unsuitable for mining.

As reasonable legislators who recognize the value of land for many uses other than coal surface mining operations, the majority of the Members of the Committee on Interior and Insular Affairs determined that such a planning program should be undertaken, on the assumption that the State governments are also people with reasonable individuals who would carry out such a program in the best interests of the people of their respective States. For Mr. Bagge to complain that the States would necessarily abuse an authority which they have had all along and thus pose a threat to all coal surface mining is patently ludicrous.

Mr. Bagge hints darkly that, since the States are permitted to adopt regulations stricter than H.R. 11500, there is no

telling to what lengths they might go. The fact is that the States presently can enact strict surface mining regulations with or without the passage of H.R. 11500.

The bill will simply assure that certain minimal Federal standards are met on a nationwide basis, so that a uniform and equitable system of reclamation is developed in the interests of all parties, operators, States, and citizens.

Mr. Bagge pretends that the provision requiring return by the mine site to its approximate original contour is not feasible in the West. The committee clearly foresaw this problem. By allowing special provision in section 211, the committee precludes the arbitrary closing of Western strip mines. Moreover, the definition of approximate original contour, as expanded in the committee report on H.R. 11500, is quite clear in its distinction between returning to previous elevation is not required when there is insufficient overburden to do the job.

Another blatant distortion is contained in Mr. Bagge's contention that the future of synthetic gas from coal is in dire jeopardy. I have argued in a previous CONGRESSIONAL RECORD—April 8, 1974—the economics of this process and the effect which H.R. 11500 would have upon it, but I have yet to see any comparable effort on the part of the NCA. By constant repetition of the allegation that the bill would "foreclose the future of synthetic pipeline gas," again and again, NCA appears to believe it will make its point: Let them produce the facts.

Mr. Bagge goes on to contend that land cannot, with any permanence, be returned to its approximate original contour in Appalachia. I suggest Mr. Bagge travel to Pennsylvania to visit some of his member coal operators and ask them whether this can or cannot be done. Actually, it has been done for several years under Pennsylvania law. The records of the Pennsylvania Department of Environmental Protection and the evidence of the reclaimed land can refute this misleading claim. In West Virginia strip mine operators have voluntarily complied with State requirements similar to those contained in the bill.

Another Bagge claim that section 212 of the bill would result in the loss of 120 million tons of coal annually because the Secretary of the Interior could require the use of underground mining methods to control subsidence to the extent technologically and economically feasible. Once again, he chooses to ignore language in the bill specifically limiting the Secretary to those requirements which are economically feasible. Thus, no mine will be closed because of prohibitive expense. This totally refutes Mr. Bagge's claim.

Moreover, the committee report is very exact on this point. It states on page 109 that one of the measures available for subsidence control is "the use of longwall and other mining techniques which completely remove the coal." This being the case, no coal pillars need be left underground for subsidence control purposes, if the operator is employing longwall mining techniques, and controlled subsidence is allowed. Here again we have an example of either ignorance of the bill or outright distortion of its provisions.

With respect to Mr. Bagge's statement that maintenance of the hydrologic balance in the arid and semiarid areas of the West, the committee report is, again, specific in stating that:

> The total prevention of adverse hydrologic effects from mining is impossible and thus the bill sets attainable standards to protect the hydrologic balance of impacted areas within the limits of feasibility.

John Sawhill, Administrator of the Federal Energy Office, has estimated that 12.5 billion tons of coal could be precluded from future mining due to the hydrologic balance requirements in section 211(b)(14) of H.R. 11500. This estimate is almost half of that suggested by Mr. Bagge. Furthermore, as I have argued elsewhere, Mr. Sawhill's estimate itself is not based on any discernible hard data. His estimate apparently is based on information supplied to him by the Bureau of Mines. Their study simply states that H.R. 11500 is too general with respect to the standards for maintenance of hydrologic balance. They made no attempt to quantify the coal losses which might result from this language.

Thus, it seems that there is no foundation whatsoever for these wildly pessimistic estimates of coal losses. If data exists, let us see it.

Mr. Bagge states that banning of coal mining in the national forests would result in the loss of 11 billion tons of coal reserves. I am not sure where Mr. Bagge gets his figures. However, the Bureau of Mines estimates that there are 7 billion tons of coal reserves in the national forests recoverable by surface mining, or 4 billion tons less than Mr. Bagge's estimate.

There is no indication as to what proportion of these reserves are recoverable by underground mining methods. Under some geological conditions, where the overburden above the coal seam is of sufficient strength to provide good roof support, it is possible to mine by underground mining methods within this distance of the surface. There is no set limit established in the Federal Coal Mine Health and Safety Act. It is therefore possible to remove certain portions of the coal deposits under the national forests without resorting to surface mining. Until some estimate is made of what proportion this might be, it is impossible to verify the actual amount which would be withdrawn by the prohibition against surface mining of coal in the national forests, as set forth in section 209(d)(9) of the bill.

Moreover, H.R. 11500 does not ban underground mining in national forests as Mr. Bagge states. It bans only coal surface mining.

Finally, in this regard, it should be noted that passage of H.R. 11500 will not cause the coal located on these lands to disappear. Nor will the coal be "lost." Should the Nation need to surface mine the coal reserves in the national forests at some point in the future, legislation can be passed to allow it. There is a great deal of coal in this Nation. Most of it is available only through deep mining. Let us exhaust these resources before we destory the national forests.

KEMP CALLS FOR IMMEDIATE ACTION TO ACCOUNT FOR THE MISSING IN ACTION IN SOUTHEAST ASIA

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. KEMP. Mr. Speaker, I would like once again to bring to the attention of my colleagues the plight of the 1,200 MIA's who are still unaccounted for.

It has been over a year and a half since the Paris Agreement was signed and the Communists still have not accounted for all of our men.

As many of our men have been returned to their loved ones, most Americans have forgotten that there are still many more families who are still waiting.

There is a group of concerned people in western New York who have not forgotten. There are several families in that area whose relatives are still classified as MIA's. They are called Western New York for POW's and MIA's, and they have worked hard to publicize the plight of all MIA's and their families. They have just published their first newsletter which gathers the latest information on what is geing done to help account for these men. I am proud to say that I am going to subscribe to this worthwhile publication.

The time has come for more in Congress to demand an accounting of these men. These families and all Americans are tired of waiting. They want and, in my opinion, deserve immediate action.

I am personally writing to Secretary of State Kissinger to ask him to go on a factfinding mission to Southeast Asia to get Hanoi to help account for these men.

I also believe that we should use our economic leverage with the Soviet Union to bring pressure on the North Vietnamese to comply with the Paris Agreements and I also am a supporter of the Ketchum resolution which states that no change in status should occur until the Paris Agreements are completely complied with.

As another measure, I am also looking into legislation which would require the military departments to obtain congressional approval before they could change the status of any of the men from missing in action to presumed dead. A change in status from missing in action to presumed dead sharply cuts back the benefits of the serviceman's dependents. Thus, it is important for the families' emotional and physical well-being to determine the truth about their loved ones.

We must act immediately and forcefully to end this terrible situation. The North Vietnamese and the Vietcong have

been evading their promises for too long. At this point, Mr. Speaker, I insert the text of the newsletter:

[Western New York for POW's and MIA's, P.O. Box 38, Hiler Station, Buffalo, N.Y. 14223]

NEWSLETTER, JUNE 1974

This is the first newsletter WNY for POW's and MIA's has issued and we hope it is successful in keeping Americans aware. It is dedicated with earnest hopes toward bringing ALL our POW's home and accounting of our 1200 MIA's. Your contributions, in the form of newspaper and magazine clippings, information you learn from other groups, and items you've seen or heard on TV and radio, along with any event having to do with POW's and MIA's are anxiously awaited and needed to make this newsletter a success for our men. They may be submitted by phone or in writing to:

Mr. David Helstrom, 3016 William St., Cheektowaga, N.Y. 14227, 716-895-1145, after 5 p.m.

YOUTH CONCERNED FOR THE 1,200 MISSING IN ACTION? INC.

President, Ann O'Connor, and a group of 25 youth and 5 chaperone-advisors will embark on a humanitarian pilgrimage enlisting worldwide support for our men in 8 to 10 foreign nations. They plan a 3-week trip in early summer hopefully culminating in a meeting with Communist leaders in Hanoi. Your support is sincerely invited and desperately needed.

Youth Concerned for the 1,300 Missing in Action? Inc., P.O. Box 6081, West St. Paul, Minnesota 55118.

There are over 1,200 reasons for you to care and to become involved.

The National League of Families Convention will be held from June 28-July 1 in Omaha, Nebraska. Attending from W.N.Y. for POW's and MIA's will be: Mafalda DiTommaso, Christine Waz, Eva Rozo and Leah Helstrom. A trip to all of the embassies in Washington, D.C. is being planned following the National League Meeting.

Everyone is urged to write to: Family Magazine, Army Times Publishers, 475 School St. S.W., Washington, D.C. 20024.

Their June 19, 1974 issue includes a detailed, and up-to-date article on Carolyn Standerwick and her MIA husband AF Col. Robert L. Standerwick. Your comments to them and a request for copies of the article to be distributed and possibly published locally are very worthwhile and greatly urged.

The American Legion Convention at the Niagara Falls Convention Center will take place on July 17, 18, 19, and 20. (These dates are corrected from our last meeting.) Volunteers to man our display there are needed from 8 a.m. to 1 p.m. on July 18-20. Find a few minutes to spare for our men who are giving so many days for us. Call Sue Czajkowski at 674-9119 if you can volunteer for any of those days.

Mafalda DiTommaso has personally presented VIVA's 60-second tape to Channels 2, 4, 7, & 29. WKBW-TV has shown this spot occasionally. Let's urge all the stations to use them. They are very effective. Write or call the stations today.

Channel 17 on June 26 at 8 p.m. is presenting a documentary look at Ex-POW, Naval Commander Richard A. Stratton, his family, the Vietnam War and his prison life.

An interview by Juanita Young (Channel 4) is in the works for Mafalda DiTommaso and possibly Earlene Thomas, an out-of-state MIA wife. It is scheduled to be shown July 29. More info. later.

On June 18, the U.S. denounced the V.C. and the North Vietnamese in the most strongly worded statement ever issued according to political observers in Saigon. It blamed the communists for lack of progress in the search for missing Americans. Copies of this statement may be obtained on request from your congressman.

Bumper stickers, petitions, brochures and POW/MIA bracelets are available by writing us at P.O. Box 38, Hiler Station, BFLO. 14223.

Views stated in Americans Who Care, April, 1974 Newsletter Fayetteville, North Carolina 28303:

"Our American men missing or prisoner in Southeast Asia cannot be forgotten! Their families cannot accept a presumptive finding of death because of our lack of evidence that they are alive! We have no evidence all of our men are dead. NVN refuses to provide us with any information. Some men have disappeared forever. We are not naive enough to believe all our missing men are alive, but we are not gullible enough to believe their fate cannot be determined. What price do we attach to an American life?

"Please take a few minutes and write a personal letter on behalf of our men to your Congressman and Senators, President, and to North Vietnam. Time is precious . . . our men are precious . . . it is up to you!"

From California, Ann Griffiths of "Support Our POW/MIA," Los Angeles, California:

"The only piece of solid legislation now pending before Congress is the Gurney amendment to the Foreign Trade Reform Act. Our government has repeatedly said that they have no leverage on the Communists to pressure for compliance with the Paris Agreements. It is obvious that it is not the intention to jeopardize "detente" with Russia and China merely to obtain information about our men. For this reason, it is imperative that we try to get United States senators to cosponsor this important amendment. At last count, Senator Jackson's amendment regarding Soviet Jews has 77 cosponsors plus Senator Jackson. The Gurney amendment had only eleven. Are our elected representatives more concerned about Soviet citizens than about American civilians and servicemen who were protecting our country's policies and ideals? Put the pressure on them so that our government will have the leverage they require to get the accounting.

"In addition, there is an important resolution in support of which we all need to write our congressmen requestiing co-sponsorship. The Ketchum resolution, H.R. 1093 introduced on May 7, 1974, is strongly in support of our men and specifically states that our government has not as yet been able to secure the accounting as specified in the Paris Agreements and until such time as they are successful, they should not even consider changing the status of the POW/MIA's to presumptive finding of death. Write now and request co-sponsorship."

Thus saith the Lord; refrain thy voice from weeping and thine eyes from tears; for thy work shall be rewarded, saith the Lord; and they shall come again from the land of the enemy. And there is hope in thine end, that thy children shall come again to their own border. Jeremiah 31: 16, 17.

LT. COL. ROBERT DYCZKOWSKI, MIA, APRIL 24, 1966, NORTH VIETNAM

Lt. Col. Robert Dyczkowski, the son of Mr. and Mrs. Raymond Dyczkowski of Buffalo, New York, was born in Buffalo in 1932. He graduated from St. Mary's Parochial School and Burgard Vocational High School, where he was a member of the Civil Air Patrol. While a member of the Air Force Reserve, he was accepted for pilot training.

On his 99th mission in North Vietnam on April 24, 1966 Lt. Col. Dyczkowskis' F-105 disappeared north of Hanoi. There was no contact made and all search efforts were fruitless. He has not been seen or heard from since that date.

Lt. Col. Dyczkowski's wife and their three children, Stephen, Patricia and Roberta, reside in Phoenix, Arizona. His brother and three sisters, as his parents, are residents of the Buffalo area.

I would also like to insert an article which was sent to me by a friend, Mrs. Susan Czajkowski. The article, which appeared in the Army Times of May 22, states that an ad prepared by eight POW's was not published because it was considered inappropriate. I was deeply disturbed by this. We must not allow the spirit of détente to overshadow the tremendous sacrifice made by these men and their families for the cause of freedom.

The article is as follows:

[From Army Times, May 22, 1974]

DÉTENTE KILLS MAGAZINE AD FOR EIGHT POW'S

(By Ruth Chandler)

WASHINGTON.—Eight returned prisoners of war attempted to take out a full-page advertisement in a special Russian commerce section scheduled for the May 18 issue of *Business Week* magazine but were turned down.

A spokesman for the magazine told *Army Times* that the ad was refused because the purpose of the section is to promote goodwill and trade between the U.S. and Russia. He said with the apparent detente between the two countries it seemed an "appropriate" time to publish such a section but "inappropriate" to run the POW ad. "We would be glad to run it in another issue," he said. Both U.S. and Russian firms bought ads in the section and supplied some of the text.

The Southern California MIA/POW Coordinating Council assisted in drawing up the ad which read:

"You are in a position that can be very important to the over 1200 MIA/POWs in Southeast Asia. It has been over one year since Hanoi has returned a POW or accounted for a missing man. Russia's working relationship with Hanoi can be very instrumental in getting all our POWs returned and a satisfactory accounting of our men.

"Russia aided Hanoi militarily, now we ask for their humanitarian aid.

"Will you use your communitative link to help?"

It was signed by eight former prisoners, none of them Army men.

PRESIDENT'S DELAY EQUALS OBSTRUCTION

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Ms. ABZUG. Mr. Speaker, many times in the past I have spoken on the floor of the House of Representatives to voice my deep concerns regarding the dishonesty and corruptness in our government. By his defiance of a legitimate inquiry by Congress, the President has shown his contempt for this country, our citizens, and our values. Once again, I find it imperative to speak out for my constituents.

Since January 1974, I have heard personally from more than 13,000 Americans calling for impeachment. The mail is still coming in. Today I sent off a stack of impeachment petitions from voters of this country to Chairman PETER W. RODINO, JR. of the House Ju-

diciary Committee urging him to move expeditiously on this important matter.

The New York Post recently printed a commentary by Pete Hamill which I would like to direct to the attention of my colleagues. Mr. Hamill again clearly enumerates many of the issues I have brought before this body.

The article follows:

[From the New York Post, June 24, 1974]

TREASON, ETC.

(By Pete Hamill)

The Nixon Gang is on the offensive again, and it is a sad fact of our political life that not a single politician has had the courage to stand up to them. A couple of Nixon's valets, Ken Clawson and Pat Buchanan, have been trying to get the focus of attention off Nixon and his various alleged felonies. and try to shift the blame to the press, or some obscure lawyer on the Judiciary Committee. And our great leaders, Jim Buckley and Jacob Javits, are silent.

But Javits and Buckley could do a service to us, and the rest of this country, if they stood up and made clear what the issues are here. The Judiciary Committee is investigating Richard Nixon. He is accused of various crimes, and he has the hard evidence in his office. Nixon has simply defied Congress and refused to turn over that evidence. In itself, that seems to be a clear obstruction of justice.

Through his lawyer, James St. Clair, Nixon has done everything in his power to hamper, delay, confuse, and defy a legitimate inquiry by Congress, which is to say, a legitimate inquiry by the American people. His contempt for the law is contempt for the people of this country.

In addition, Barry Goldwater has demanded that the leaks be investigated, as if the leaks were the problem, and not the crimes committed in the Nixon White House. Goldwater called Daniel Ellsberg a traitor last week, and not one person in Congress rose to his defense, to point out to Goldwater that Ellsberg slipped secret information to the American people, and if that be treason, then we had better make the most of it.

Goldwater is one of those conservatives who is periodically canonized by the liberal establishment in Washington. He's "a good guy," a "decent" man, but get it straight: Goldwater supports Nixon, is willing to serve as his hatchetman, and represents the most adamant country club conservatism in this country.

Clawson and Buchanan, and the rest of that ugly little band down there, also are delighted about Henry Kissinger's confrontation with Congress over the wiretaps. Kissinger successfully blackmailed the Senate into a vote of endorsement, even before anyone had the evidence in hand, for the simple reason—which neither Clawson nor Buchanan will mention—that among the collection of people who work for The Unindicted Co-Conspirator, Kissinger actually looks moral.

But neither Javits nor Buckley nor Edward Kennedy nor anyone else has yet pointed out that the heart of the Kissinger matter is not whether he ordered, initiated or acquiesced in the wiretapping of 13 of his own people and four reporters. The real issue here is why those wiretaps were placed at all. The reason was that William Beecher of the New York Times wrote a story on May 9, 1969, reporting that the United States was bombing Cambodia, apparently with the acquiescence of the Cambodian government.

Kissinger and Nixon were furious. Not because the American people would find out. From March, 1969, to April, 1970, American airplanes flew 3,200 B-52 raids into Cambodia. They did not tell Congress, because they had no legal authorization to make those raids. So they created a massive cover-up, of which Kissinger and Nixon were among the principal architects, that involved a double bookkeeping system. That cover-up was so successful that Nixon was able to go on TV in April, 1970, and tell the American people that we had to invade Cambodia to get to the "inviolate" Communist sanctuaries.

Now that speech was an obsolute lie. Nixon knew it. Kissinger knew it. And of course, the Cambodians and North Vietnamese knew it, because they were being bombed. Among the principals, the only people who did not know it were the American people. Through all the period of the bombing and up to the invasion of Cambodia, we were at peace with that country. It was neutral. And yet we were bombing it, with the authorization of Nixon and Kissinger. No wonder they were furious and ordered the wiretaps. They had been caught committing a crime.

The other day, Clawson held another one of his "briefings" in which he complained about the leaks from the Judiciary Committee as "a purposeful effort to bring down the President with smoke-filled room operations by a clique of Nixon-hating politicians."

Clawson, who was once a reporter, must think Americans are absolute fools. How can he talk about smoke-filled rooms when even Nixon's bowdlerized version of the tapes exposes the Nixon White House as a nest of scheming, perjuring, manipulating men, devoid of honor, incapable of considering the good of the people or the integrity of the Presidency?

If he wants to stop the leaks, Clawson should tell his boss to turn over the evidence that the investigators have asked for. The proceedings would then come to a rapid close. But Clawson is a valet. He won't so advise his master. And while he is grabbing TV and newspaper, Buckley, Javits and the rest are silent. There may be more disgusting people in the country than politicians, but I don't know where they.

THE WAGES OF ENVIRONMENTALISM

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. LANDGREBE. Mr. Speaker, I wish to call the attention of my colleagues to an article that appeared in the June 13 New York Times, entitled, "Acid in Rain Found Up Sharply in East; Smoke Curb Cited." For years now the environmentalists have been screaming about all sorts of pollution and its effects on "the delicate balance of nature." They have urged everyone to be aware of the secondary effects of any human action. Unfortunately they have rarely, if ever, told us about the secondary effects of environmentalism. The article which follows tells of one of these effects. As time passes we will begin to see exactly how detrimental environmentalism can be. With the banning of DDT, which never hurt anything except a fly, we have seen the destruction of forests, the resurgence of disease, and the deaths of thousands of human beings. Now, the smokestack particle removers, and the increasing use of very tall smokestacks—some are nearly a quarter of a mile tall—that disperse pollutants over very large areas—have transformed local soot problems into a regional acid rain problem.

I fear that we have not seen the last of the secondary effects of the laws which Congress has been passing against pollution:

ACID IN RAIN FOUND UP SHARPLY IN EAST; SMOKE CURB CITED

(By Boyce Rensberger)

In the last two decades, rain falling on the eastern United States and Europe has increased in acidity to 100 to 1,000 times normal levels, two ecologists have found. They said that the change had come about despite the increased use of air pollution controls and, in large part, because of some methods now used to clean smokestack emissions.

The scientists said that the acid rain may be stunting the growth of forests and farm crops and accelerating corrosion damage to man-made structures.

Under normal circumstances, pure rainwater is only slightly acidic due to its reactions with carbon dioxide in the atmopshere. The acidity may be likened to that of a potato. In recent years, however, the average acidity of rainwater has increased to about that of a tomato. In occasional extreme cases, rains have been found to be as acidic as pure lemon juice.

The researchers said that much of the increased acidity could be traced to a rising use of anti pollution devices that make many smokestacks appear to be no longer emitting smoke. The devices, which remove only visible particles of solid matter and not gases, still permit the escape of sulphur dioxide and various oxides of nitrogen that are readily converted to sulphuric acid and nitric acid in the air.

Before the devices were used, the solid particles, which are capable of neutralizing acids, entered the atmopshere and largely balanced out acids derived from the gasses. Now they can no longer do so.

The study was made by Dr. Gene E. Likens, an aquatic ecologist at Cornell University, and Dr. F. Herbert Bormann, a forest ecologist at Yale University. They reported their findings in the June 14 issue of Science magazine.

PROBLEM "TRANSFORMED"

The smokestack particle removers, and the increasing use of very tall smokestacks—some are nearly a quarter of a mile tall—that disperse pollutants over very large areas, the two scientists said, "have transformed local soot problems into a regional acid rain problem."

In a telephone interview Dr. Likens said that the acid rain problem illustrated the potential hazards in a piecemeal approach to solving air pollution problems. As yet, there is no widely accepted, reliable technology for removing sulphur dioxide from smoke although at least one pilot project testing a promising method is reported to be under way.

The most widely used method for lowering the output of sulphur dioxide, which is the chief contributor to acid in rain, has been to switch to fuels that contain less sulphur to begin with. This method led to a decline of about 50 per cent in sulphur dioxide emissions in major cities in the nineteen-sixties.

A 45-PERCENT INCREASE FOUND

However, according to a report by Dr. John F. Finklea, director of the National Environmental Research Center, this improvement has been more than offset by rapidly growing industrialization of regions away from major cities that are burning sulphur-bearing fuels. The next change nationwide, Dr. Finklea found, has been a 45 per cent increase in sulphur dioxide emissions.

Dr. Likens said that while the ecological effects of acid rain are not well known, there are preliminary indications of a reduction in forest growth, which has been noted independently in northern New England and in Sweden.

Laboratory experiments in which acids equivalent to today's average rain were sprayed on growing trees found that pine needles grew to only half normal length. Birch leaves developed dead spots and grew in distorted shapes. Studies on tomatoes misted with the acid water found decreased pollen germination and lowered quality and production of tomatoes.

A number of lakes in Canada, Sweden and the United States have become increasingly acidic in recent years, and some have experienced serious fish kills associated with the acid levels, Dr. Likens said.

Although the ecologists did not try to estimate the corrosive effect of acid rain on bridges, buildings, outdoor statutes and the like, they said that the nature of acids suggested that serious damage was being done.

Because of the chemical nature of acids, (all of which contain hydrogen ions) thev tend to combine readily with atoms of other substances, forcing those atoms in effect, to switch their chemical bond from the original site to the hydrogen ion of the acid.

Thus, for example, the atoms of calcium, which form essential components of a limestone building will lose their bonds to each other and attach themselves to the acid washing down the side of a building.

DANGEROUS NATURE OF FIREWORKS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. DERWINSKI. Mr. Speaker, as we approach the Fourth of July weekend, I believe that proper emphasis must be placed on the dangerous nature of fireworks in the hands of individuals.

While I recognize the traditional use of fireworks on the Fourth of July, I still believe that they should be limited to official programs under the administration of mature and experienced personnel. I also believe it is in the public interest to warn against the danger of using fireworks and those accidents that occur every year which can cause loss of limb, blind, or kill individuals.

These points are very properly presented in an editorial in the June 26 edition of the West Proviso Herald serving West Cook County, Ill.:

FIREWORKS—JUST DON'T USE THEM

Fireworks, for the most part, originated as patriotic salutes to the independence of the United States. Traditionally, most community Fourth of July programs end with lavish aerial and ground fireworks displays to the delight of young and old alike.

But fireworks in the hands of citizens are dangerous. Depending on their size and the degree of carelessness of their use, fireworks can kill, blind, burn or blow off a foot, hand or finger.

The sale to consumers of larger types of fireworks, such as cherry bombs and M-80s, is prohibited by federal law. Illinois law prohibits the sale and use of smaller fireworks such as firecrackers, salutes, skyrockets and rockets, roman candles, chasers, torpedoes, devils-on-the walk, any devices designed to create an element of surprise to the user, and sparklers more than 10 inches long or ¼ inch in diameter.

Some communities ban other types of fireworks. For instance, the Franklin Park police consider smoke bombs and snakes to be illegal.

Unfortunately, many states, including some in the Midwest, allow fireworks banned in Illinois. These dangerous articles find their way illegally into this state, along with those manufactured or imported in violation of federal law.

The Illinois Legislative Investigation Commission last week cited alleged fireworks bootleggers in the Chicago area and the state. Hopefully, a statewide crackdown on bootleggers will be followed by enforcement of stronger federal laws to control fireworks.

In the meantime, the Illinois House is considering a bill to better define what fireworks are safe and which are not. Even though superior to the laws of many states, the Illinois fireworks stautes are still considered too loose. If passed, the law will become effective Jan. 1, 1975.

But for this Fourth of July, you can help by avoiding the use of fireworks yourself and reporting to the police persons you see using them or illegally distributing them. Fireworks can be dangerous to bystanders and the noise of explosions can be annoying especially when it comes as a surprise.

There is no logical reason for the use of any fireworks by citizens, considering the fun and excitment to be had at the sanctioned community displays.

Limit your patriotic salute to these programs and make the Fourth of July a safe and enjoyable holiday for you and your neighbors.

RUGGED INDIVIDUALISM

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. MILFORD. Mr. Speaker, time after time on the floor of this House we hear pleas and demands for higher social security payments, higher Government retirement pay, earlier retirement dates, and more Government support.

Now, please let no one misunderstand, I am not against assistance to the elderly or to the needy. However, I am against Government welfare supplied to those who are capable of helping themselves.

Furthermore, I have a tremendous admiration for those individuals who could legally take Government doles—yet, who have the strength and fortitude to continue to be productive citizens in our society. These hearty citizens refuse the "rocking chair death," in favor of personal independence from "Mother Government."

This Nation became the greatest in the world because of rugged individualists. Our country remains strong because of rugged individuals. It will die when this individualism is no longer prevalent.

With the foregoing in mind, I would like to bring to the attention of all Members of the House and Senate the outstanding character of Etta Lee Powe.

A front page article in the July 1, 1974, issue of the Dallas Morning News, written by Marylu Schwartz, details the strength of this rugged individual that resides in my district. I shall submit this article for inclusion in the RECORD.

Dallas is proud of Miss Powe. She and other great individuals made, and continue to make, our city distinctive.

She spent much of her life teaching formally. For those who would learn, she is still teaching. In a maximum fashion, Miss Powe is demonstrating life's greatest lesson—independence.

The article follows:

[From the Dallas Morning News, July 1, 1974]

THIS WOMAN HAD RATHER BE POOR "IN OWN WAY"

(By Maryln Schwartz)

Etta Lee Powe says she prefers poverty to giving up her privacy.

At the age of 80-plus (telling her age is another form of privacy she won't give up), she earns money by telling fortunes for tips at the Longhorn Ballroom.

"People keep telling me I could stop work and get money from the government and relax," she says. "I can get $146 a month and that's not enough to relax. And if you take that, they keep coming round bothering you, making sure you're not living off more than that $146. It's not worth it. I'd rather be poor in my own way."

Miss Powe says she's had that kind of a philosophy all her life.

She retired in 1948 after 32 years of teaching school because there weren't going to be any more one-room schoolhouses.

"I started teaching in Louisiana back in 1916. I kind of got used to one-room schoolhouses. After 32 years, I couldn't teach any other way. I like to be my own boss then and I still like that now."

But she notes inflation is beginning to get in her way.

She's been living in the same five-room house for the past 30 years.

"But it needed some attention and it was too big for me. I wanted it repaired and made apartment size. That's when I looked at the price of new lumber. I was shocked."

She told the carpenters her old lumber was still good and to tear down all but one room of the house and rebuild it with the old lumber.

"They did that and I'm living in this one room now while the rest is torn down and being rebuilt. I put up a temporary mailbox out front and I'll just make do."

She explains she doesn't have kitchen facilities and there is one small heater for the winter.

"But I'm going to make it on my own as long as I can."

Some of her ex-students keep turning up to see if they can help.

"There is one who comes around wanting to drive me to work. But I won't let him. He's got too much he needs to do for his own people."

Another just told a neighbor, "I want to find her and show her what kind of a man she helped me to become."

The future she says she just isn't going to worry about.

"I've always managed and I guess I'm just going to have to continue to manage."

DÉTENTE FOR PEACE: A LITTLE PIECE HERE AND A LITTLE PIECE THERE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. RARICK. Mr. Speaker, day by day we are being filled in on the cost of détente.

During the President's visit to the Middle East he announced that we are giving both Egypt and Israel atomic powerplants. Then, while flying over Egypt, he gave the $2 million helicopter and the proposed residence for the U.S.

Ambassador, valued at over one-half million dollars, to President Sadat of Egypt. Then we received the State Department news that Mr. Nixon has agreed to give two nuclear reactors to Iran.

Next, as we view our President "détenteing" in Moscow, Russian-made tractors—Belarus M–520 model—start arriving in the United States through the port of New Orleans—but not as gifts. Next we hear of approval of a Senate Foreign Relations staff member to go to Havana for "Caribbean détente." At this time it is not certain what we will give Castro.

As if this is not enough, this morning the President announced that $1.5 billion in military and equipment and supplies to Israel last December would be considered as an outright gift.

By now we all understand the true meaning of "détente for peace." It is giving the foreigners a little piece of America here and a little piece of America there.

Related newspaper clippings follow:

[From the Washington Star-News, June 21, 1974]

HIDDEN COSTS OF MIDEAST TRIP

(By Oswald Johnston)

The Nixon administration's budding new friendship with Egypt is turning out to have hidden costs which have not been acknowledged publicly.

During the President's visit to Egypt last week, where a tumultuous public reception gave Nixon a welcome reprieve from his political troubles at home, one of the heavyweight White House helicopters, costing about $2 million to replace, was turned over to President Anwar Sadat. The donation was not disclosed to the White House press corps that accompanied the Nixon entourage on the trip.

During Secretary of State Henry A. Kissinger's Middle East peace mission last month, the administration quietly agreed to turn over to the Egyptian government a block-sized estate bordering the Nile which had been planned as a new Cairo residence for the U.S. ambassador.

The property, said to have been desired personally by Sadat who lives nearby, is to be exchanged for another property elsewhere in Cairo, which apparently has not yet been chosen.

The Nile estate was purchased for $477,221 in 1966, according to State Department records. It was never occupied, because the United States and Egypt broke relations after the six-day war before the ornate 19th-century building could be refurbished.

In recent years, property along Shari al-Giza, where the estate is located, has increased in value with the construction of a new Sheraton Hotel and a new Soviet embassy nearby.

The property deal has so far been kept secret even within the State Department, whose Office of Foreign Buildings has not yet been instructed to reappraise the estate at its current value. Kissinger reportedly gave a brief account of the transaction during a closed-door briefing of the House Foreign Affairs Committee earlier this month.

The helicopter transaction is apparently an outright personal gift to Sadat, according to Egyptian official sources who leaked the news in Cairo last weekend.

White House officials failed yesterday to return telephone queries about the gift, but the main facts can be reconstructed from other sources.

At least two of the heavy twin-turbine Sikorsky VH3D executive helicopters, which the President has for personal use, were transported to the Middle East along with several White House limousines and other trappings of presidential grandeur.

The helicopters were originally designed as antisubmarine aircraft for the Navy, and they are capable of carrying 30 infantrymen fully equipped or 15 stretchers. Eight to 10 of the aircraft have been reconstructed for White House use, with sound-proofed, carpeted interiors, easy chairs and sofas. A Sikorsky spokesman estimated yesterday that such a helicopter would now cost at least $2 million.

Nixon invited Sadat aboard one of the VH3Ds last week on a flight from Alexandria —the secne of an especially tumultuous welcome—to the great pyramids southwest of Cairo, the same day that the U.S. commitment to offer Egypt nuclear fuels and technology was announced.

According to reporters present on the trip, a presidential helicopter was not again used for the rest of the tour that continued to Saudi Arabia, Syria, Israel and Jordan.

Meanwhile, a four-man team from Egypt's automatic energy commission was to arrive here today to discuss nuclear fuel for the reactor which President Nixon promised Cairo.

State Department spokesman Robert Anderson said the contracts for the fuel—enriched uranium—should be signed by June 30 in order to prevent a long delay in supply.

However, the fuel contract, as well as the exporting of the reactor to Egypt, are contingent upon the negotiation of a bilateral control agreement with safeguards assuring that the reactors output will be used only for peaceful purposes.

The control agreement must be sent to the joint congressional atomic committee and remain there for 30 days without objection before it becomes effective.

An Israeli delegation is expected to follow the Egyptians soon to discuss details of a pledge by Nixon to provide that country, too, with nuclear fuel and a reactor for electric power generation.

[From the Washington Post, June 29, 1974]

STATE REPORTS IRAN TO GET TWO REACTORS

The State Department said yesterday the United States has agreed to supply two nuclear reactors to Iran.

A department spokesman, Robert Anderson, said. "We expect that contracts for fuel for the reactors will be signed in Tehran very soon."

He stressed that the contract was a provisional one and would not go into effect until Iran signed an agreement providing for strict safeguards upon which the United States insisted.

The announcement follows President Nixon's Mideast trip, during which he agreed to supply nuclear reactors to Egypt and Israel, subject to safeguards that the plutonium that the reactors produce is not used for making nuclear weapons.

Dixy Lee Ray had been discussing cooperation in this area with Iran since mid-May, when she visited Tehran.

"The decision to sell fuel to Iran is just a natural part of our long relationship with Iran," Anderson said.

Anderson said the United States accepted Iran's denial this week that it has any intention of developing nuclear weapons, pointing out that Iran had signed the 1968 Nuclear Nonproliferation Treaty.

"We have no doubt that Iran does not intend to develop nuclear weapons," Anderson said.

[From the Washington Post, July 1, 1974]

NIXON WAIVES $500 MILLION ISRAEL DEBT

Acting under authority from Congress, President Nixon Saturday waived repayment of $500 million in credits to Israel for replacement of equipment and supplies expended in the Arab-Israeli war last October, the White House announced.

The White House said Mr. Nixon acted on the waiver Saturday evening in Yalta, where he is holding summit talks with Soviet leaders.

The action completed allocation of $2.2 billion in emergency aid to Israel voted last December by Congress, and was taken only hours before the Saturday midnight expiration of the President's authority to change the credits to a grant.

Congress stipulated that at his discretion, the President could provide up to $1.5 billion of the aid in the form of a grant with the $200 million remainder to be credits.

In April, Mr. Nixon made an initial determination to provide $1 billion as a grant and $1.2 billion as credits.

Saturday's action raised the grant total to the full $1.5 billion permitted by Congress, and Israel will have to repay $700 million of the aid package instead of $1.2 billion.

[From the Morning Advocate June 22, 1974]

RUSSIAN TRACTORS ARRIVE AT NEW ORLEANS PORT

(By Bill Crider)

NEW ORLEANS.—More Russian-made tractors arrived in port Friday for a Russian sales drive in which dealers are betting that customer reactions hinge on cash not communism.

Tractors from the citadel of communism were being offered for sale—at a saintly price—in politically conservative areas where most farmers equate communism with evil.

"When it's a matter of money, I find that politics don't seem to make much difference," said A. E. Holladay, a salesman for a Bessemer, Ala., tractor dealer.

Satra Belarus, Inc., the importer, set prices some 20 per cent under comparable American makes, began seeking dealers, and thus far has four—in Bessemer, Picayune, Miss., Poplarville, Miss., and Bowling Green, Ky.

Sales figures were not revealed.

Laryr Torres, New Orleans sales manager, said it was too early to assess sales due to the number of purchases hanging fire for credit checks or similar routine.

A bid for a slice of the U.S. tractor market was a USSR decision made after President Nixon's moved to improve relations with the Soviet Union by opening up trade.

Opportunity was open. American tractor manufacturers can't supply U.S. demand. So Russia began shipping Belarus tractors made in Minsk to Leningrad, and thence to New Orleans.

Torres said the first shipment of 72 tractors arrived last month and were being spread around to dealers. Twenty-two came in Friday with another shipment due Monday.

A Mississippi debut for Russian tractors was held Thursday. A demonstration day was staged near Poplarville on land once owned by the late Sen. Theodore Bilbo, a fiery racist and anticommunist.

"It probably gave him a spin," said Mel Bailey of New Orleans, Satra Belarus national sales manager.

Nine fire-red tractors, trucked in for the day-long show, were hitched to discs and harrows, cultivators and mowers and put through their paces for farmers who came to look them over.

"When I was down in Costa Rica I saw these tractors selling at about the same as American tractors, but here they have cut the price way down," said T. J. McBride, the Bessemer dealer.

"I couldn't have handled Russian tractors a few years ago," he added. "We thought there might be a backlash now, but so far we haven't heard the first whisper."

[From the Washington Star-News, June 24, 1974]

RUSSIAN TRACTORS REACH MISSISSIPPI

POPLARVILLE, Miss.—Tractors made in Russia are up for sale in places where most farmers equate communism with the Devil. But the hangups have been fewer than expected.

"I thought there might be a backlash, but so far we haven't heard the first whisper," said T. J. McBride, a tractor dealer from Bessemer, Ala.

McBride's showroom in Bessemer, near Birmingham, recently added Belarus tractors, made in Minsk and shipped from Leningrad to New Orleans, La. The first load arrived last month.

He was here to attend an all-day demonstration of the tractors from the Soviet Union.

It was held of all places, on a farm once owned by the late Sen. Theodore Bilbo—a fiery racist who never had much use for Communists, either.

"It probably gave him a spin," said Mel Bailey of New Orleans, national sales manager for Satra Belarus Inc., importer of the tractors.

The American sales program is still in the stage of attracting dealers, but at least one farmer has already purchased one of the Soviet-made tractors.

Bailey has signed on dealerships at Bessemer; Picayune, Miss.; Bowling Green, Ky., and Poplarville, Miss.

Nine fire red tractors, trucked in by Bailey and hitched to discs and harrows and cultivators and mowers, were put through their dusty paces during the demonstration.

"They're built rugged," said Clay Allen, who has a 320-acre farm near here. "An American tractor like this one would cost you about $7,000; their price is $5,600.

"And when you buy an American tractor, you go on a six-month waiting list. I bought one last year."

Argie Stewart, a tractor dealer at Poplarville said that when a farmer say his new Belarus models and vowed to Never Buy Red, his counter-argument was simple.

"I just asked how much German or Japanese stuff he owned," said Stewart. "Then after a while he remembered that we fought Germany and Japan in World War II, but the Russians were our allies."

Stewart added Russian tractors to his line because he can't operate without tractors to sell. He also offers Japanese and British makes.

American manufacturers, due to various shortages and demands, have been unable to meet dealer requirements, he said.

"I am also an International Harvester dealer, and last month I got just one tractor from them," said Stewart. "Now selling one tractor ain't about to cover my overhead."

[From the Washington Post, June 29, 1974]

SENATE AIDE OFF ON CUBA MISSION

(By Spencer Rich)

In what could herald the first tentative gropings of a congressional drive for improved relations with Cuba, Senate Foreign Relations Committee staff director Pat M. Holt took off for Cuba yesterday for a 10-day study mission and meetings with top Cuban officials, it was learned from State Department sources.

Holt, 54, is the first high-level U.S. official to visit Cuba in more than a decade. It has taken eight years of pressure from Foreign Relations Committee Chairman J. W. Fulbright (D-Ark.) to get the State Department to validate Holt's passport for travel to Cuba.

Secretary of State Henry A. Kissinger, informing Fulbright last December that he had decided to approve the visit, made it clear that U.S. policy is still to "discourage travel to Cuba" and that Holt "in no way represents the executive branch." But he said he was bowing to Fulbright's strong wishes.

Holt's precedent-shattering visit (the U.S. broke off relations with the regime of Fidel Castro on Jan. 3, 1961) was initiated by the Foreign Relations Committee, not by the administration. It is described as "purely fact-finding." Akin to other visits he has made as a Latin American specialist for the committee over much of the past 24 years.

However, it clearly could have larger consequences in opening up a dialogue and in allowing the Senate committee to get much closer look at the Castro regime and the possibilities for "caribbean detente."

Holt, who took over as staff director of Foreign Relations early this year when Carl Marcy retired, was a key adviser to Fulbright during the 1962 Cuban missile crisis, when the senator was a leading voice of moderation. Holt was also one of the handful of insiders advising Fulbright during the 1965 U.S. intervention in the Dominican Republic, when Fulbright publicly denounced U.S. policy and broke with president Johnson, one of his oldest and closest friends.

[From the Washington Star-News, June 1974]

U.S. BANKS PLAY FOR BIG STAKES IN SOVIET UNION

Moscow.—Three leading United States banks have offices in Moscow, but Chase Manhattan can't cash your check, the Bank of America can't accept your deposit and Citibank can't help with your second mortgage.

They are not in the Soviet Union to promote Christmas Club accounts. They are after the big money that oils the wheels of U.S.-Soviet trade, the nine-digit credits that allow Russia to buy goods and technology made in U.S.A.

These bankers are betting on a ground-floor advantage from steadily growing commerce between the United States and the Soviet Union.

Alfred Wentworth, the 54-year-old Chase senior vice president, was the first to set up shop.

With bank Chairman David Rockefeller, Wentworth presided over the bank's formal opening May 21, 1973.

For Wentworth, Chase's objectives are threefold; To "develop a loan portfolio," help Chase's customers who want to do business with the Russians and to help the Soviets promote their exports.

Before opening the Moscow office, Chase loaned the Soviets $86.45 million to finance purchases of U.S. equipment for the Kama River truck foundry.

The loan stirred something of a controversy in the U.S. business community because of the terms involved. Some businessmen said it looked like Chase was trying to buy favorable treatment from the Russians.

Wentworth won't disclose the exact interest rate, but sources in a position to know say it was loaned at a fixed rate of 7 percent over a 10-year period. All of the $86.45 million was Chase's.

The prime lending rate in the United States—the rate banks charge their biggest and best customers and each other—has since leaped to more than 11 percent. And because this is what Chase now has to pay for money, some U.S. businessmen wonder whether Chase will be able to break even on the loan.

"It was a rate that was satisfactory at the time," Wentworth says. After a pause, he affirms, "The loan is still satisfactory to us at this time."

A second Kama foundry loan of $67.5 million followed, with Chase acting as a broker, organizing a five-bank consortium and taking a fee. No Chase money was loaned, and Chase recently completed a $36 million credit to finance an international trade center in Moscow. Wentworth said Chase "will be participating" in the trade center loan, the terms of which were not made public.

"Chase will continue arranging loans," Wentworth said. But Chase, like all other U.S. banks, has to operate under the legal lending limit statute which specifies that the indebtedness of no one customer can exceed 10 percent of a bank's total shareholders' equities, less reserves. The comptroller of the currency has ruled that the Soviet Union is a single customer.

The bank makes its money from the "spread," a percentage on top of the prime rate, plus a commitment fee, usually a half-percent, paid on that part of the loan which hasn't been drawn by the borrower.

Yankovich says U.S. banks can make money lending to the U.S.S.R., "but it's got to be the right project at the right price."

Victor Brunst, 34, the only one of the three directors whose Russian is fluent, represents First National City Bank of New York.

Brunst says Citibank's role "is basically to help the customer who is dealing with the Soviet trading organizations and banks.

INFLATION AND EXPECTATIONS EXPLOSION

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. MICHEL. Mr. Speaker, I want to bring to the attention of my colleagues an article appearing in this week's edition of the National Observer. In reading this article, I am reminded of the two-fold definition of inflation from Webster's dictionary: First, the state of being distended with air or gas, or filled with pomposity. That could very well apply to some of the politically expedient statements we have been hearing lately, from the other body, especially, espousing a tax cut as a cure for inflation.

For those of us who prefer the second, and more meaningful definition of inflation—an increase in the volume of money and credit relative to the supply of goods, resulting in a substantial and continuing rise in the general price level—it is indeed discouraging when we are suddenly short of just about everything from toilet paper to day-old bread, to read of so many of my colleagues advocating tax cuts as the best way to bail the consumer out of his wallet dilemma.

The article follows:

[From the National Observer, July 6, 1974]

INFLATION AND AN EXPECTATIONS EXPLOSION

(By Irving Kristol)

(NOTE.—Irving Kristol is Henry Luce professor of urban values at New York University and coeditor of the quarterly The Public Interest. This article is excerpted from The Wall Street Journal. It is the third in The Observer's series of views on the controversial subject of inflation. Another will appear soon.)

Just about every thoughtful observer is agreed—indeed, has always agreed—that inflation is essentially a political phenomenon, created by the fiscal irresponsibility of government. Economic circumstances can

raise the prices of some commodities (e.g., oil or domestic help), and a major crisis (e.g., war) can temporarily raise the prices of all commodities. But a general, enduring, and accelerating rise in the price level will only come about when government itself spends—or permits its citizens to spend—more money than there are resources available for purchase at stable prices.

All this is true enough, but as stated it is somewhat misleading because oversimplified. It encourages us to regard "politics" as a world apart, "politicians" as a breed apart, and allows us to blame *it* and *them* for our problems. This has its convenience, and might even be relatively true for predemocratic or nondemocratic societies.

But in a democratic society such as ours, politics is not really a world apart, nor are politicians really much different from the rest of us. . . . Politicians differ from us merely in that they have more power.

HOW THINGS OUGHT TO BE

The uses to which that money and power are put, however, are determined in a democracy by our common culture—by those beliefs about how things are, and those expectations as to how things ought to be, which we jointly share.

It is this culture, as it finds articulate expression in what they call "public opinion," but also as it finds tacit expression in the habits of everyday life, that ultimately governs in a democracy. And if inflation becomes an organic disorder of democracy, it can only be because it has deep cultural roots both in our way of life and our way of thinking about life.

This, I think, is what Albert T. Sommers, the immensely shrewd chief economist of the National Industrial Conference Board, had in mind when he recently asserted that the explanation for our inflationary condition lay in a "profound historical shift in social conditions and value systems of democratic capitalism."

In the democratic countries, he went on to say, modern economic systems "are living in an explosion of expectations that carry the demands for output far beyond their finite resources. The failure of our political system to contain the growth of social demands within limits tolerable to the free market is the essential first cause of inflation in this society."

WHO INCITED THIS "EXPLOSION"?

Quite right. Only, who incited this "explosion of expectations," and who transformed the "value systems of democratic capitalism" so as to make this explosion so difficult to contain? Well, oddly enough it is our economists themselves who have to shoulder some of the responsibility.

True, it is mainly economists who today are most alarmed by inflation and are most vociferous in demanding that something be done about it. Nevertheless, ever since the end of World War II, economists have been as busy as anyone else in fueling that "revolution of rising expectations" which, *when divorced from the spirit of moderation*, gives birth to the inflationary state and its various disorders.

I have italicized that phrase—"when divorced from the spirit of moderation"—because it is so crucial. Capitalism itself emerges historically from dissatisfaction with the stationary society, and is intrinsically allied with *some kind* of revolution of rising expectations. It was such a revolution that brought capitalism into existence, and it is the satisfaction of increased expectations that has legitimated its existence until this day.

But this was, from the outset, a moderate revolution that sought to satisfy moderate expectations. And what, above all, imposed a spirit of moderation on this continuing revolution was the science of economics—the "dismal science" as it came to be called, precisely because it set itself so firmly against the utopian extremism which all revolutions stir up, and because it kept insisting that there are no benefits without costs, that reality is so structured as to make hard choices inevitable, that a "free" lunch is pie in the sky.

Up until the New Deal, politicians functioned within a climate of opinion shaped by "the dismal science." They didn't understand economics any better than they do today. But they were much more respectful of reality—and of the limits which reality inevitably imposes on our desires—than they are today.

Economics ceased being a "dismal science" with the rise of Keynesian theories during the Great Depression. But Keynes was no utopian, and his economics was originally conceived very much in a spirit of moderation. What Keynes said was that massive depressions were unnecessary and could be avoided by fairly simple Government action which would help restore economic equilibrium. He anticipated that, once this was achieved, the capitalist system would resume its long-term rate of growth.

That rate was, by our present standards, modest to the point of timidity in the United States; it meant an average annual increase in the Gross National Product of perhaps 2.5 per cent. Paltry though that statistic seems to us today, it meant a doubling of national income every thirty years or so—an achievement no previous economic system could even have imagined.

After World War II, the moderate optimism created by the Keynesian confidence that great depressions could be avoided became an immoderate and extravagant optimism. "Economic growth" replaced "economic stability" as the focus of attention, and economists began to assure us that growth rates of 5 per cent or even 8 per cent were possible, if only we did the right things—which, as it happens, turned out to be the inflationary things.

These assurances seemed all the more plausible at the time because some nations—notably the Soviet Union and West Germany—were indeed achieving such impressive rates of growth. There was even a great deal of chatter in respectable academic circles that, unless the United States could radically improve its performance, the Soviet economy would soon surpass it—and we were warned that all the "underdeveloped" nations (they had not yet been promoted to "developing" nations) would then promptly opt for communism. Those economists and social critics who were skeptical of this scenario were peremptorily informed that their thinking was out of date.

YOU COULDN'T GO WRONG

And so our present inflationary climate was born. The stock market boomed—at those projected rates of growth, you couldn't go wrong by buying common stock. Corporations plunged head over heels into debt—at those projected rates of growth, massive indebtedness seemed positively sensible, since the return on capital would easily cover repayment and leave a tidy profit besides.

Individuals, too, began to go heavily into debt—what was wrong with prespending tomorrow's increased "guaranteed" income? And politicians began to prespend the "fiscal dividend" which the tax system, under these conditions of rapid and sustained economic growth, would pay to the Treasury.

I vividly recall a dinner meeting, eight years ago, when a Washington official brought us the glad tidings that the major political problem facing the nation was how to spend that fiscal dividend (then estimated, I think, at $6 billion a year). When someone—not an economist—dared suggest that it was all just too good to be true and that life wasn't really like that, he was silenced by an uncomprehending stare.

A VAST ECHO CHAMBER

And all of this took place in a decade when the media—television, especially—converted this nation into a vast echo chamber, in which fashionable opinions were first magnified and then "confirmed" through interminable repetition. Gradually it came to be believed that, in the immortal words of a Nineteenth Century utopian Socialist, "Nothing is impossible for a government that *wants* the good of its citizens." As a matter of fact, this proposition doesn't even sound particularly utopian today—it sounds almost banal.

The 1970s are slowly disillusioning us of all these fantasies, and it is pleasing to report that, just as the economists were the leaders of yesteryear's "revolution or rising expectations," so today they are the most eloquent in affirming the reality principle, in the traditional accents of their "dismal science."

But such reversals of established opinion do not occur overnight, and bad habits are not so easily discarded. Corporation executives still feel compelled to promise their shareholders growth rates of at least 7 per cent to 10 per cent—though, if stock prices are any indicator, no one is believing them, which is a good thing.

THE SOBER SILENT MAJORITY

Politicians, too, still feel that they are required to come up with new and glittering promises to the electorate at frequent intervals. It seems clear that the electorate, which has more common sense than economists, corporate executives, or politicians, doesn't believe them either. The media naturally call this disbelief "apathy" and "cynicism," and deplore it.

I suspect that, had it not been for the insanities of the Watergate affair, we would be much further along the sobering-up process than we now are. Mr. Nixon's overwhelming majority in 1972 can be fairly interpreted as a vote for political and economic sobriety. Mr. Nixon may be discredited, but that majority is still out there, and is still a lot more sober than the politicians realize. But politicians are always suffering from cultural lag, and we shall have to give them some time to catch up.

Meanwhile, it is to be hoped that our economists will stay "dismal" and thereby help revive the spirit of moderation which they had earlier helped to subvert.

GILMAN SEEKS PROPERTY TAX RELIEF FOR THE ELDERLY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1974

Mr. GILMAN. Mr. Speaker, last week I introduced H.R. 15563, legislation seeking to curb the excessive burdens which real property taxation has placed upon our senior citizens.

Before outlining the provisions of my bill, permit me to alert my colleagues to the overwhelming need for reforming existing systems of property taxation.

The plight of the senior citizen's battle with rising property taxes is clearly evidenced by the following facts: First, our

national average annual income of men over the age of 65 is $3,449, elderly women have an average income of $1,706; second, this income is generally a "fixed income," further eroded by recent jumps in the cost of living; third, the average senior citizen pays over 30 percent of his budget for housing; fourth, 70 percent of our senior citizens own their own homes; fifth, the average American homeowner pays 3.4 percent of all his income on property taxes, while the average senior citizen pays over 8 percent.

These statistics, combined with the fact that the average property tax bill has risen 40 percent since 1969, clearly demonstrate the inequity of today's property tax system.

To bring the problem more vividly into focus, permit me to read into the RECORD a portion of a letter I received from one of my older constituents which is typical of the pleas of many of our senior citizens:

DEAR CONGRESSMAN GILMAN: I am an older citizen who has been retired for 12 years. Having lived in my 71 year old house for 57 years, I have been struggling to pay the ever increasing taxes with only my Social Security and a very small pension. Now, the town assessor has again raised the value of my property and I find that I shall have to sell and move out of my home.

Mr. Speaker, the author of that letter has brought the problem of burdensome property taxation into an easily understandable focus. Increasing property taxes are forcing senior citizens from their homes in their final years when the security and comfort of familiar surroundings are most important.

Accordingly, I have proposed the "Senior Citizens Tax Relief Act of 1974," endeavoring to ease the escalating toll this tax is taking on our older Americans.

My bill encourages the States to take initiatives in property tax reform. Specifically, it provides guidelines for a "circuit breaker" to become effective when property taxes exceed a designated percentage of a senior citizen's income. For example, if the yearly income of a senior citizen is $4,000, he would be refunded for any property tax paid in excess of 4 percent of that $4,000—or any property tax payments in excess of $160.

The bill provides for a graduated percentage rate of allowable taxation which phases out entirely when the annual income of a senior citizen exceeds $14,000. Under this scale, the tax relief program focuses attention on those needy senior citizens who are shouldering a disproportionately large share of the real property taxes.

Mr. Speaker, with our senior citizens staggering under the weight of this regressive tax, the necessity of providing relief is critical. Accordingly, I invite my colleagues to join with me in proposing reform of the real property tax systems and respectfully request that the full text of my bill be included in this portion of the RECORD:

H.R. 15563

A bill to provide for a program of assisting State governments in reforming their real property tax laws to provide relief from real property taxes for individuals who have attained the age of 62

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 "Senior Citizens Property Tax Relief Act of 1974".

TITLE I—FINDINGS AND PURPOSES

FINDINGS

SEC. 101. The Congress finds that—

(1) real property taxes, while an essential source of revenue to State and local governments, often place a heavy burden on individuals with low and moderate incomes and this burden is particularly heavy for elderly individuals;

(2) a Federal program designed to promote relief from the burden of real property taxes should apply to those individuals who are the most heavily burdened by such taxes;

(3) the elderly, many of whom live on fixed incomes, are most heavily burdened by real property taxes;

(4) many of the States have expressed interest in implementing property tax relief plans for the elderly.

PURPOSES

SEC. 102. The purposes of this Act are—

(1) to provide for property tax relief for the elderly upon whom real property taxes place the heaviest burdens;

(2) to encourage reform of property tax laws pertaining to individuals over the age of 62;

(3) to establish Federal guidelines for property tax reform for senior citizens for adoption by the States;

(4) to provide for the dissemination of easily understandable materials describing the State's property tax relief plan for senior citizens.

SEC. 103. As used in this Act, the term—

(1) 'Office" means the Office of Property Tax Relief" established under title II;

(2) "Director" means the Director of the Office or his delegate;

(3) "State" means each of the United States and the District of Columbia.

TITLE II—THE OFFICE OF PROPERTY TAX RELIEF

ESTABLISHMENT

SEC. 201. (a) There is established within the Department of the Treasury an office to be known as the Office of Property Tax Relief (hereinafter referred to as an "Office"). The Office shall administer the real property tax relief programs established under this Act.

(b) The Office shall be headed by a Director, who shall be appointed by the Secretary of the Treasury. The Director shall be responsible for the exercise of all the functions of the Office, and shall have authority and control over all the activities and personnel of the Office.

FUNCTIONS

SEC. 202. (a) The Office shall—

(1) administer the senior citizens property tax relief programs established under this Act;

(2) act as a clearinghouse of information for State and local governments with respect to the various programs and activities of the Federal Government which may affect the administration of property taxes;

(3) provide assistance to the States in dispersing property tax relief information to elderly individuals.

ADMINISTRATIVE PROVISIONS

SEC. 203. (a) The Director shall make annual reports and recommendations to the Congress and the President, including recommendations for additional legislation, beginning on the first anniversary of the enactment of this Act.

(b) Upon request made by the Director, each agency of the Federal Government is authorized and directed to make its services, equipment, personnel, facilities, and information (including suggestions, estimates, and statistics) available to the greatest extent practicable to the Office.

COMPENSATION OF DIRECTOR

SEC. 204. (a) Section 5315 of title 5, United States Code, is amended by adding at the end thereof, the following:

"(98) Director, Office of Property Tax Relief.".

TITLE III—REAL PROPERTY TAX RELIEF FOR SENIOR CITIZENS

GRANTS TO THE STATES

SEC. 301. (a) The Office is authorized to pay to each State which operates a qualified program of real property tax relief for persons over the age of 62 an amount equal to one-half the cost of that program (other than administrative costs) to the State.

(b) For purposes of this section, the term "qualified program of real property tax relief" means any such program which the Director determines to meet the requirements of this title.

PROGRAM REQUIREMENTS

SEC. 302. (a) The Director shall determine that a State program of real property tax relief for the elderly meets the requirements of this title if that program provides relief to both homeowners and renters of residential property (including apartments) which meets the minimum standards set forth in subsections (b) and (c).

(b) In order to meet the minimum standards of real property tax relief for elderly individuals who own or are purchasing their principal place of residence, a State must provide by way of cash payments, tax credits, tax refunds, or otherwise, relief from real property taxes in an amount equal to the lesser of—

(1) an amount determined by the State, but not more than $500 per year; or

(2) an amount equal to the amount by which the total real property taxes the taxpayer pays on his principal place of residence for the taxable year exceeds a percentage (determined under subsection (d)) of his household income for that year.

LIMITATIONS

SEC. 303. No amount shall be paid under section 301 to any State as reimbursement for the costs of any program of real property tax relief attributable to—

(1) amount of property tax relief furnished by that State to any taxpayer whose household income exceeds $14,000 for the taxable year; or

(2) amounts of property tax relief furnished by that State to more than one member of any household.

CONDITIONS

SEC. 304. No payment shall be made under section 301 except upon application made by a State containing such information as the Director may require, and each State receiving any payment under that section shall agree to provide the Director with such additional information, reports, and assurances as he may require, consistent with the purposes of this Act.

TITLE IV—DISPERSEMENT OF INFORMATION

SEC. 401. The Office shall assist the States in providing easily understandable, informational materials describing the nature of the State adopted program for property tax relief to elderly individuals.

TITLE V—APPROPRIATIONS AND EFFECTIVE DATE

SEC. 501. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 502. Payments may be made under this Act with respect to fiscal years beginning on or after June 30, 1974.

(c) In order to meet the minimum standards of real property tax relief for individuals who rent their principal place of residence a State must provide, by way of tax credits, tax refunds, cash payments, or otherwise, relief from real property taxes in an amount equal to the lesser of—

(1) an amount determined by the State, but not more than $500 per year; or

(2) an amount equal to the amount by which a percentage of the rent the taxpayer pays during his taxable year for his principal place of residence, determined by the State but not less than 20 percent and not more than 30 percent, exceeds a percentage (determined under subsection (d)) of his household income for that year.

(d) The percentage required under subsections (b) and

(c) to be determined under this subsection shall be the percentage specified in the following table:

If the household income is:	*The percentage is:*
Not more than $3,000	3 percent.
More than $3,000, but not more than $4,999	4 percent.
More than $5,000, but not more than $7,999	5 percent.
More than $8,000, but not more than $9,999	6 percent.
More than $10,000, but not more than $14,000	7 percent.

(a) For purposes of this section, the term—

(1) "household income" means the aggregate annual income of all members of the taxpayer's household (including the taxpayer). For purposes of the preceding sentence, the term "income" means—

(A) wages, salary, or other comprensation for services;

(B) any payments received as an annuity pension, retirement, or disability benefit (including veterans' compensation payments, monthly insurance payments under title II of the Social Security Act, railroad retirement annuities and pensions, and benefits under any Federal or State unemployment compensation law);

(C) prizes and awards;

(D) gifts (cash or otherwise), support and alimony payments; and

(E) rents, dividends, interests, royalties, and such other cash receipts as the Secretary may by regulation prescribe;

(2) "rent" means consideration paid under a lease, whether written or oral and regardless of duration, solely for the right to occupy a dwelling house (including an partment), exclusive of charges for (or any part of the rental fee attributable) to utilities, services, furniture, furnishings, or personal property applicances furnished by the landlord as part of the lease agreement, whether expressly set out in the rental agreement or not; and

(3) "household" means the members of a family (and anyone dwelling during the taxable year with that family) dwelling together during the taxable year in the same residence.